

BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS

WEDNESDAY, APRIL 16, 2014

4:00 p.m.

-Proclamation for National Public Safety Telecommunicator's Week April 13-19, 2014 (Scott Ruf)

-Consider the minutes of April 2 and April 7, 2014

CONSENT AGENDA

- (1) (a) Consider approval of Commission Orders;
(b) Consider approval of FY2015 Comprehensive Plan/Budget for Community Corrections (Deborah Ferguson);
(c) Consider approval of Health Insurance Stop-Loss Coverage (Sarah Plinsky);
(d) Consider resolution to amend Douglas County zoning regulations 12-319-7 regarding agritourism regulations (Linda Finger);
(e) Consider for approval a Memorandum of Understanding between the Douglas County Commissioners and the Bureau of Land Management Oklahoma Field Office and the Bureau of Indian Affairs Eastern Oklahoma Regional Office Southern Plains Regional Office (Craig Weinaug);
(f) Consider acquisition of right of way for project 2012-14, Route 458 from 1050E to US-59 Highway, three parcels (Michael Kelly); and
(g) Authorize Commission chair to sign a letter for a funding match for Outreach, Prevention and Early Intervention Services program for the Lawrence-Douglas County Health Department (Sarah Plinsky).
- (2) Take action on resolution expressing intent of County Commission to consider the creation of a fire district with responsibility for fire protection in Palmyra Township, as requested by the Palmyra Township Board, and setting date for public hearing. (Craig Weinaug)
- (3) Take action on Resolution expressing intent of Commission to consider the creation of a fire district Township Board, and setting date for public hearing. (Craig Weinaug)
- (4) Consider extension of burn ban for two weeks subject the same terms and conditions as the current burn ban (Teri Smith)
- (5) Consider draft request from Douglas County Commission to Lawrence City Commission requesting waiver of development charges for the public works building pursuant to City Ordinance No. 6791 (Craig Weinaug)
- (6) (a) Consider approval of Accounts Payable (if necessary)
(b) Appointments
Bert Nash Community Health Center Board of Directors (2) expire 04/2014
Douglas County Senior Services Board of Directors – (1) vacancy 04/2014
Heritage Conservation Council (3) positions expire 05/31/2014
Jayhawk Area Agency on Aging Board of Directors – (2) vacancies
Jayhawk Area Agency on Aging Tri-County Advisory Council – (2) vacancies
(c) Public Comment
(d) Miscellaneous

RECESS

RECONVENE

6:35 p.m.

REGULAR AGENDA

- (7) CUP-14-00064 (CUP-12-16-02) 5-year compliance review and reclamation plans for Hamm Eudora Quarry #58 located on approximately 129 acres at, and north of, 1232 E 2300 Road. (Mary Miller)

- (8) Adjourn

WEDNESDAY, APRIL 23, 2014

4:00 p.m. (only)

-Consider approval of the SNAP matching program funding request from the Food Policy Council (Eileen Horn)

WEDNESDAY, APRIL 30, 2014

4:00 p.m.

-Presentation of Report from Lawrence-Douglas County Advocacy Council on Aging (Judy Bellome)

WEDNESDAY, MAY 21, 2014 - 6:35 p.m. only

WEDNESDAY, JUNE 4, 2014

-Consider a proclamation for "Relay for Life Week" (Betty Parks)

***Note:** The Douglas County Commission meets regularly on Wednesdays at 4:00 P.M. for administrative items and 6:35 P.M. for public items at the Douglas County Courthouse. Specific regular meeting dates that are not listed above have not been cancelled unless specifically noted on this schedule.*



Office of the County Commission

PROCLAMATION

National Public Safety Telecommunicator's Week

April 13-19, 2014

For Douglas County, Kansas

WHEREAS: Emergencies can occur at anytime that require sheriff, police, fire or emergency medical services; and

WHEREAS: When an emergency occurs the prompt response of law enforcement, firefighters and paramedics is critical to the protection of life and preservation of property; and

WHEREAS: The safety of our sheriffs, police officers and firefighters is dependent upon the quality and accuracy of information obtained from citizens who telephone the Douglas County Emergency Communications Center; and

WHEREAS: Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS: Public Safety Dispatchers are the single vital link for our police officers, and firefighters by monitoring their activities by radio, providing them information and ensuring their safety; and

WHEREAS: The Public Safety Dispatchers of the Douglas County Emergency Communications Center have contributed substantially to the apprehension of criminals, suppression of fires and treatment of patients; and

WHEREAS: Each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of Douglas County, Kansas, hereby proclaim the week of April 13-19, 2014 as "**NATIONAL PUBLIC SAFETY TELECOMMUNICATOR'S WEEK**" and joins in honoring the men and women whose diligence and professionalism keep our county and citizens safe.

ADOPTED this 16th day of April, 2014.

**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

Nancy Thellman, Chairwoman

Jim Flory, Vice-Chair

Mike Gaughan, Member

Robert W. Fairchild, Chief Judge

Sally D. Pokorny, Judge

Kay Huff, Judge

Michael J. Malone, Judge

Paula B. Martin, Judge

Peggy C. Kittel, Judge

James T. George, Pro Tem Judge

DOUGLAS COUNTY DISTRICT COURT
Seventh Judicial District
Judicial Center, 111 E. 11th St.
Lawrence, Kansas 66044-2966



Linda Koester-Vogelsang
Court Administrator, 785-832-5264

Douglas A. Hamilton
Clerk of the District Court, 785-832-5333

Michelle Roberts
Chief Court Services Officer, 785-832-5218

Deborah Ferguson
Community Corrections Director, 785-832-5220

Katy Nitcher
Court Trustee, 785-832-5315

Heather Kruse-Minnick
Citizen Review Board Director, 785-832-5219

TO: Douglas County Commission
FROM: Deborah L. Ferguson, Director *DLF*
SUBJECT: FY 2015 Comprehensive Plan/Budget
DATE: April 10, 2014

Attached you will find the FY2015 Comprehensive Plan/budget. Signatory approval is required.

As mentioned in previous years, Kansas Department of Corrections (KDOC) requires agencies to submit two budgets. The Current Allocation budget meets the award the agency received in FY2014, which Douglas County received \$475,039.21. In order to meet this figure, the surveillance program was eliminated as you see in the Budget Narrative/Summary. The Actual Operations budget is the funds needed to sustain our program, including surveillance. Our agency has requested \$518,099.45 for FY2015.

Recent personnel changes have increased workload for staff. Our agency is currently filling two vacant positions. Our goal is to have these positions filled/staff fully trained by May 31, 2014.

Highlights during FY2015 are the following:

- Continue to maintain a 75% and above success rate.
- As of January 2014, the internal Cognitive Skills Program has re-invented itself due to the hiring of the agency's Program Provider. Our agency has also partnered with Douglas County Sheriff's Office Re-entry to facilitate classes within the community. We are already seeing success of these classes. Our goal during FY2015 will be to sustain this program.
- During FY2014 the mentoring program was up/running until the resignation of the agency's ISO II, who was the facilitator of the program. Once our agency is fully staffed and caseloads have stabilized, continuing with this program will be a focus for FY2015.
- Our agency will be enhancing our Quality Assurance by KDOC assisting our agency and agencies across the state with fidelity. This will ensure that our agency is utilizing evidence-based practices with our daily work with offenders.

Thank You!

PART ONE: NARRATIVE

Abstract

Douglas County Community Corrections continues to be committed to enhancing public safety through Organizational Development, Evidence Based Practices and Collaboration. In addition, our agency provides intensive supervision, incorporating community resources and evidence-based practices that will enhance public safety and reduce offender recidivism.

With the increase in our agency's high risk offenders and SB123/DUI populations, staff has been utilizing evidence-based practices to ensure lower revocation rates and higher successful terminations. As of February 28, 2014, our agency's success rate decreased from 77.3% in FY 2013 to 75.5%. The drop in our success rate has been negatively affected by many different variables during FY 2014, but the strongest impact has come from recent personnel changes, to include filling vacant positions of two ISOs and ISO II.

Community providers continue to play a viable role in the current success of offenders in our program. The collaboration we have has allowed for great feedback sessions between our agency and other agencies involved with offenders. The Intensive Supervision Officers (ISOs) continuously collaborate with many different types of community providers throughout offender supervision. Examples of community providers include; but are not limited to, the Workforce Center, Volunteer Centers for Community Service, Bert Nash Mental Health Center, Professional Treatment Services, Cottonwood, Salvation Army, Lawrence Housing Authority, SRS, etc. In addition, luncheons have been held between our agency and DCCCA to improve collaboration.

In FY 2015, it is our agency's goal to stabilize in agency personnel. In addition, due to many changes in the DUI/SB123 laws, our agency is considering implementing specialized caseloads. Our agency also plans to revitalize the mentoring program so that we are able to assist offenders that have no community support; continue with the cognitive skills program within this agency so we can address offenders thinking; and, identify stronger goals in offender case plans to help hold offenders more accountable. It will be important for our agency to continue to monitor the number of offender referrals received, especially the high risk, SB123, and DUI offenders. This will allow our agency to make adjustments to caseloads when necessary to ensure offenders are receiving proper interventions and treatment dosages. Continued emphasis on staff training and development will be integral. Lastly, throughout the fiscal year, our agency will review KDOC reports and data to guarantee we are meeting at least our goal of a 75% success rate for offenders leaving the program.

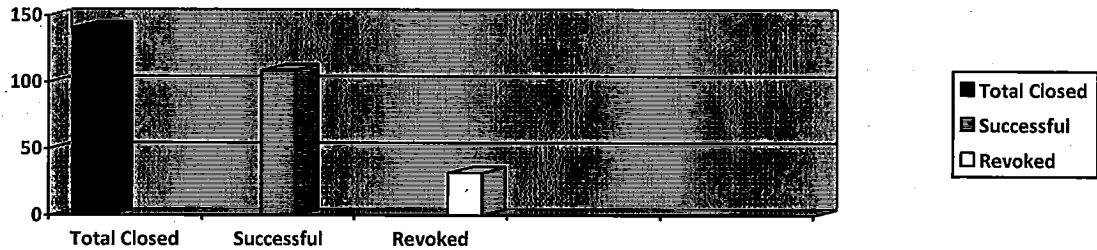
Our agency will continue to provide high-risk offenders with three to nine months of intensive risk reduction services that occupy 40-70% of their free time. In addition, our agency will continue to target appropriate treatment interventions and programs to match the offenders individualized needs, taking into account dosage and responsivity. Our agency will continue to provide those offenders doing well a chance to receive gift cards, bus passes, groceries, etc. through our incentives program.

Our agency will improve our quality assurance piece that allows supervisors to not only review documentation and observe ISO/offender contacts but provide written/verbal feedback. We will also be working with KDOC regarding fidelity and quality assurance.

STATEMENT OF THE PROBLEM

According to FY 2013 data obtained from the KDOC FY2013 Statistical Summary, our agency had a total of 141 offender closures with 109 (77.3%) successful terminations and 32 (22.7%) revocations.

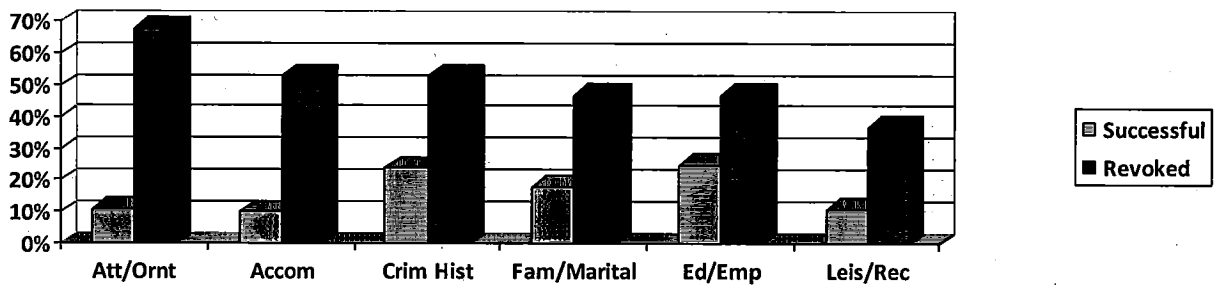
FY 2013 Closures



In describing the prominent common areas of risk and need in the chart below, our agency reviewed the LSI-R Performance Report from the KDOC database, July 1st, 2012 to June 30th, 2013. Our agency found that for those offenders revoked the top domains identified as high risk with an increase in scores were attitudes/orientation (68%), accommodation and criminal history both at (53%), and family/marital along with education/employment at (47%). The percentages for those offenders successful in these noted domains were relatively low.

Based on the chart below, it was also determined that the attitudes/ orientation domain was found to be higher in offenders who were revoked for a condition violation or new felony/ misdemeanor charge. In addition the accommodation and criminal history domains, as well as family/marital and education/employment domains were consistent in scores for high risk. Another common area of concern is the leisure/recreation domain, which offenders have struggled in this area the last several years; but, this domain improved during FY 2013.

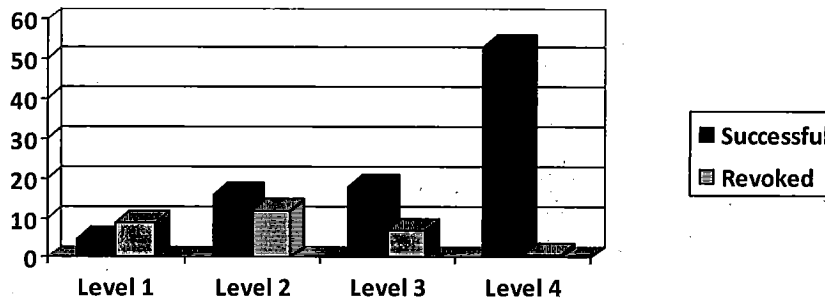
High-risk Score of Closed Offenders



According to the FY 2013 Statistical Summary (Termination Reason by Supervision Level), moderate to high risk offenders were revoked more than the low risk offenders.

The total number of offenders that had a LSI-R Assessment completed during FY 2013 was 121. The data below shows that offenders who were discharged from probation on level I supervision; 5 were successful and 9 were revoked. For offenders on level II supervision; 16 were successful and 12 were revoked. For offenders on level III supervision; 18 were successful and 7 revoked. Finally, for those offenders on level IV supervision; 53 were successful and 1 was revoked. It is interesting that there were almost as many revoked offenders on level III as level I. It will be important for ISOs to identify stronger goals for high risk offenders to help address this higher revocation rate and ensure LSI-Rs are being scored accurately.

Termination Reason by Supervision Level



During FY 2013, our agency did not encounter changes in personnel and we began to revitalize our cognitive skills program and our mentoring program. These elements contributed to the success of our agency. However, there were also several areas of concern during FY 2013. First of all, the number of offenders referred to our agency has increased over the years, with the same number of ISOs to supervise these offenders. In reviewing the agency's internal referral database, since 2009 our agency has seen a rise, except for 2010, in offender referrals as noted in the table below.

AGENCY OFFENDER REFERRALS FY2009 – FY2013

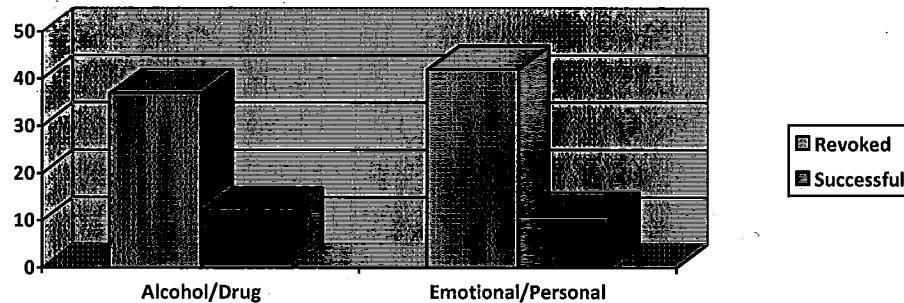
FISCAL YEAR	TOTAL # OF REFERRALS	ASSIGNED	NOT ASSIGNED	PENDING (RTA FOR SENTENCING)
2009	202	179	23	0
2010	187	168	19	0
2011	224	189	35	0
2012	233	204	29	0
2013	226	166	59	1

There were some changes in personnel during FY 2011 and FY 2012, but our agency managed to stabilize which contributed to the success of our agency in FY 2013. During FY 2014 our agency anticipates surpassing the number of offender referrals in FY 2013.

Another problem for our agency during FY 2013 was ISOs supervising offenders that are not in our targeted population and those that are not appropriate or amenable to probation. Many of these offenders are high-risk, requiring more time and supervision. This contributes to a rise in caseloads and limited staff to supervise more offenders. According to the FY 2013 Statistical Summary (FY2013 Departure Types by Agency) our agency received 22 downward dispositional departures during FY 2013. According to

the agency's internal referral log, during FY 2013 our agency received 33 offender referrals with level 9 felonies. Both populations take a lot of time/supervision and most have extensive criminal histories, alcohol/drug issues along with mental health issues.

As noted in the chart below, in reviewing the LSI-R Performance Report from the KDOC database, July 1st, 2012 to June 30th, 2013 for those offenders revoked, 37% increased their scores in the alcohol/drug domain and those successful, 12% decreased their scores. The emotional/personal domain was closely behind with 42% of revoked offenders increased their scores and 11% of successful offenders decreased their scores.



As mentioned, our agency continues to see a rise in offenders that have alcohol/drug issues, which creates many challenges for ISOs. A problem for our agency is that it is court policy to only test offenders when ISOs have “articulable/reasonable suspicion” that an offender is using illegal drugs. For example, if an offender has an odor of marijuana use, the ISO would have “articulable/reasonable suspicion” to request a urinalysis from the offender. Our agency reviewed data received from the Douglas County Drug Testing Report in the Kansas Department of Corrections database (TOADS) for FY 2013 and found that 87 offenders were tested with 48 positives screens and 37 negative screens. Over half of the offenders tested were positive for illegal drugs (see chart below). The problem for our agency is that there may have been more offenders that were using but were able to avoid a drug screen due to the ISOs not having “articulable/reasonable suspicion”.

TOTAL OFFENDERS	POSITIVE SCREENS	NEGATIVE SCREENS	REFUSALS
87	48	37	2

Our agency also reviewed the breakdown of positive drug(s) per specimen submitted and discovered that THC and amphetamines had the highest number of positives. This information can be misleading because again, these specimens required the ISO to consider if there was “articulable/reasonable suspicion” that the offender was using. In all reality, the number of positive drugs is quite low as noted in the chart below.

DRUG NAME	TOTAL TESTS	TOTAL POSITIVE
Alcohol	279	19
Amphetamines	252	27
Barbiturates	244	0
Benzodiazepines	248	17
Breath Test	134	10
Cocaine	253	14
Non PCP	83	0

(Hallucinogens)		
Inhalants	81	0
MDMA	94	0
Methadone	242	0
Methamphetamines	142	6
Morphine	112	1
Opiates	253	11
Oxycodone	107	0
PCP	241	8
Propoxyphene	236	0
Synt Cannab	85	0
TCA	81	0
THC	256	57

Drug use can lead to many offender issues throughout their supervision. If ISOs can capture illegal drug use without waiting for “articulable/reasonable suspicion”, risk/needs can be addressed immediately, rather than before an offender’s life spirals out of control.

Although our agency worked toward revitalizing the agency’s cognitive skills classes during FY 2013, not having consistency in classes could also be classified as a problem for our agency. This would have positively affected the attitudes/orientation domain, which in turn would have affected our success rate. Although the mentoring program was implemented, the lack of female recruits was a negative for our agency. Many female offenders lack social skills, are victims of domestic violence, illegal drug users, and have no pro-social support.

ISOs continue to be creative in developing a program with components that will incorporate risk reduction strategies. In addition, the use of internal programs is imperative for the success of the offenders. Although our agency achieved a 77.3% success rate in FY 2013, we believe if we did not encounter some of the challenges listed above the agency’s success rate would have been higher.

Not having fully implemented programs has contributed to the lower success rate of offenders in our agency. According to evidenced based practices the need for cognitive skills and a mentoring program play a significant role in the success of an offender learning pro-social skills in order to be successful and lead a conventional lifestyle. Cognitive thinking and pro-social influences in an offender’s life can affect many domains. Our agency will be addressing the following domains during FY 2015: attitudes/orientation; companions; leisure/recreation; and, education/employment. Although other domains have been mentioned in this section and are important as well, we believe that these domains will be positively affected as we address our priority domains. In addition, revitalizing internal programs, such as cognitive skills, mentoring, implementing the Substance Abuse Program (SAP), and workforce development, will allow for offenders to decrease their scores in other domains as well. Overall, an offender’s attitude can affect many aspects of their life. The offender population that our agency continues to target for risk reduction are offenders who score moderate to high risk on the LSI-R Assessment and offenders who score high or medium high on the Static 99 (sex offenders). As we began to develop consistency with the cognitive skills classes and the mentoring program we will be able to analyze our overall program, determine what is working and what is not, and make any adjustments necessary.

INTEGRATED MODEL

Our approach to supporting the offender population will continue to be evidenced based and data driven. We pay strict attention to the external research and carefully introduce programs and interventions that support the best research. It is our belief that continuing with this practice we can significantly improve the effectiveness of any program we have, if implemented with appropriate fidelity. Our goal is to increase public safety and work with offenders to help them achieve success and lasting change. Our agency incorporates the Integrated Model in all aspects of our program, to include evidence-based practices based on the eight principles. Our agency also uses assessment, interventions, and monitoring/measurement not only for offenders and ISOs but the agency as a whole. We monitor our daily practices and initiate change to improve success. In addition, we continuously collaborate with outside agencies/providers to build upon offender success.

Although resistant at first, staff is now buying into the programs the agency has implemented based on evidence-based practices. In addition, the Advisory Board, County Commission, and other partners of the agency are buying into the programs being implemented. We believe that once we develop consistency with the internal programs and attain full staff, the success of our agency will continue.

ORGANIZATIONAL DEVELOPMENT

Our agency's mission is to achieve success through Organizational Development, Evidence Based Practices and Collaboration. In addition, we believe that it is important to enhance public safety, reduce offender recidivism and increase successful terminations of offenders through effective case management services. Lastly, we encourage offender accountability through the cost-effective use of community based supervision and agency interventions. Our staff is expected to have honesty, integrity, and show respect with other staff and offenders. This allows staff to appropriately respond to the risks and needs of offenders assigned to the program by the Court or through courtesy transfer cases utilizing evidence based practices when providing case management to offenders. In addition, staff is expected to attend staff training to provide up to date opportunities for growth.

Our agency continues to work to improve our overall performance and individual development. We have recognized that in order for change to occur within our agency, a process needs to be in place that includes strategic planning, organizational design, leadership development, coaching, diversity and a balanced relationship between employees. Changing the way our agency does business has not been an easy task and is a work in progress. Although offender populations are increasing and budgets are tight, our agency still realizes the importance of recognizing the need to rely on less expensive and more effective methods of supervising offenders. We have strived to change our way of thinking and it has required energetic leadership with a willingness to place equal focus on evidence-based principles in service delivery, Organizational Development and Collaboration. Each component is essential for the success of our agency.

Organizational Development is required to successfully move from traditional supervision to evidence based practice. The key to success for our agency continues to be the staff that embodies our agency. It is important for staff to feel included in this process and embrace new ideas, for success to occur. The agency must be capable of delivering all of its services in the most effective and efficient way. In addition, with the changes in personnel it is important that newly hired staff have the same philosophy.

ISOs realize that knowledge, skills, and attitudes play an important role in offender supervision. In addition, our agency implemented an incentive/reward program and a bicycle program. Both of these programs are evidence-based. ISOs continue to learn and utilize skills learned in EBP throughout supervision of offenders. Our agency has also implemented quality assurance that incorporates monitoring staff and offender programming to identify if adjustments need to be made, including providing necessary feedback. Our agency will continue to acquire data through KDOC reports and our internal database to measure performance of staff and the offender population. In addition, KDOC will be working with our agency regarding fidelity. Our agency will continue to seek ways to enhance evidence-based practices and incorporate what is learned in our daily supervision of offenders.

Personnel changes have been identified as a gap in this section. Our agency replaced an ISO II in December 2013, the Secretary II in January 2014, an ISO I in March 2014, and lastly, we will be replacing an ISO I in April 2014. Although we consider these changes a gap for our agency, this gap will resolve itself prior to FY 2015. Therefore, we will not be addressing this gap during FY 2015; however, it will be very important that newly hired staff have the same philosophy of the agency and not new to evidence based practices.

The mentoring program has been identified as a gap for our agency. Our goal was to have the program fully implemented in FY 2013. The mentoring program continues to be a challenge for our agency because it is time consuming. In addition, our agency is low on female mentors. Lastly, the previous ISO II was the overseer of the program and now the responsibility relies on an ISO I; but, due to increases in caseloads because of personnel changes, the ISO I has not had time to solicit mentors. Once our agency is fully staffed and we solicit and have a considerable number of male/female mentors we believe this will help close this gap in FY 2015. Our agency will continue to meet with community members in our county and introduced this program as an opportunity to gain volunteers who would want to be mentors. Previously, our agency met with Kansas University, Baker University, Washburn University, and United Way of Douglas County. We will continue to distribute brochures and flyers throughout the community and explain the application process. We will train volunteers, and identify offenders who will be suitable for this mentorship in the community. It is the agency's organizational plan to address and improve our targeted domains mentioned in the Statement of the Problem section; other domains will be affected as well. In addition, we will review collected data from the agency's internal spreadsheet to evaluate how the program is working and if changes need to be made.

Another gap for our agency is the cognitive skills program. During FY 2013, revitalizing the cognitive skills program was a challenge as there was a lack of buy-in from ISOs. A reason for this lack of buy-in is staff believed that offenders were receiving cognitive teachings while participating in treatment programs and believed it would not be beneficial to have offenders attend another class. Staff buy-in has changed for the positive and our goal during FY 2015 is to maintain the program. Following the hiring a Program Provider in December 2013, we were able to successfully regenerate the cognitive skills program in January 2014. Not only has Thinking for a Change (T4C) classes evolved within the agency, we partnered with the Douglas County Sheriff's Office Re-entry staff to hold classes in the community. This helps with attendance numbers and we can assist some of our agency's offenders that are in custody. Our

agency will continue to encourage staff to work with offenders on cognitive skills (learned in treatment) during office visits. The referral process is also in place. Most ISOs are trained to facilitate T4C. ISOs will be expected to attend any T4C refresher trainings and our agency will collaborate with other agencies interested in this program as well, which include, but may not be limited to the Lawrence Parole Office. Our goal is to sustain the program during FY2015. We will review data from the cognitive skills internal enrollment/termination referral system to determine the success of the program and if there are any changes that need to be made.

Our ISOs, the CSW Coordinator, and surveillance ISOs, continue to gain knowledge and skills by attending trainings in evidence based practices. Information is shared with the Court, our Advisory Board and County Commissioners. In addition, as we work with outside providers and make collateral contacts, our vision and mission is shared. At times the vision is shared indirectly with individuals that are involved in the offender's supervision.

COLLABORATION

Our agency has a great opportunity to work with other agencies, within our community, who believe in the same efforts needed for community safety as we do. We have shared goals that allow for positive interaction, great leadership and shared resources. Douglas County Community Corrections partners with the Advisory Board, County Commission, the Douglas County Sheriff's Office, District Court, District Attorney's Office, Lawrence Housing Authority, DCCCA, Bert Nash Mental Health Center, and Heartland Works, Inc. (Workforce Center) in order to plan, implement, evaluate, and sustain a local risk reduction initiative.

It is important to note that, although the partners listed above are the main stakeholders, other partners may be added at a later date to assist Community Corrections in helping offenders become successful and productive citizens in the community. These partners may include, but are not limited to the following:

- First Step at Lakeview- An alcohol/drug treatment facility for females that offers inpatient and reintegration services;
- Heartland Clinical Consultants- A facility that not only offers outpatient alcohol/drug treatment but other services such as a Theft Offender Treatment program, domestic batterer's intervention groups, family/individual therapy, mental health assessments and other services;
- Professional Treatment Services – an alcohol/drug treatment facility for males/females that offers outpatient treatment;
- Other partners may include- Independence Inc., Vocational Rehab, Catholic Community Services, Cottonwood, and SRS.

While our agency believes we are collaborating well with community agencies, we have identified gaps within this area. These gaps are recognized but will not be closed during FY 2015 as communication continues to be a daily process with providers when working with offenders. Those gaps include a better communication process with our District Attorney's office and a better communication process with one of our county treatment providers, DCCCA. During FY 2014 we were able to meet with the District Attorney's office regarding improving communication amongst the Assistant District Attorneys and ISOs. ISOs have an opportunity to communicate with the District Attorney's office prior

to sentencing and revocation hearings, but there have been occasions where a decision has been made without consulting the ISO, such as in revocation hearings and plea agreements for those offenders currently on probation. This has been acknowledged by the District Attorney's office on several occasions. We have a good relationship with the District Attorney's office and staff is appreciative of any opportunity to provide recommendations. We will continue to work toward building a solid partnership with both agencies. Our goal for improving communication with the District Attorney's office will be to collaborate more often prior to sentencing of offenders who are on probation violation status. Although there have been some communication gaps between our agency and DCCCA, the Director communicates with the Director at DCCCA and DCCCA has facilitated regular luncheon meetings with our agency to discuss positives/negatives. Our goal will be to continue this collaboration and to build on the new communication process.

EVIDENCE-BASED PRINCIPLES

Listed below are the eight evidence-based principles for effective interventions. These principles will explain how our agency is currently applying the principle and any gaps between current practice and the full implementation of the principle.

A) Assessing Actuarial Risk/Need: Assessing offenders in a reliable and valid manner is a prerequisite. Offender assessments are most reliable and valid when staff is formally trained to administer tools. Our agency's ISOs are formally trained and certified to administer the LSI-R on all assigned offenders to Community Corrections. The LSI-R is the required assessment tool that assesses dynamic and static criminogenic risks and needs of offenders. ISOs are also provided with the LSI-R scoring guide for review and reference throughout the LSI-R development process. We have one ISO that is certified to administer the Static 99 for all sex offenders assigned to our program.

Upon sentencing, the supervising officer completes an intake and orientation process with the offender within 10 working days, per policy/procedures and KDOC standards. The intake process includes the LSI-R interview with the offender and entering the LSI-R information into TOADS so that a supervision score is generated (as this is not an available pre-sentence option except for the SB-123 offender population). According to KDOC standards, the LSI-R is required within 45 days post-sentencing. In addition, ISOs complete LSI-R assessments for SB123 and DUI offenders pre-sentence, depending on the date of the offense. The KDOC standards regulate the supervision of offenders including office and field contacts; residence, employment and intervention verifications; regular Case Plan reviews; and monitoring of conditions of probation. ISOs complete an LSI-R reassessment for level I, II, & III offenders within six (6) months after the initial LSI-R and every twelve (12) months thereafter. For offenders on level IV supervision, a LSI-R reassessment is not necessary unless there are dramatic negative behavior changes in the probationers or new information is obtained that would change the offender's supervision level. A LSI-R reassessment may occur at any supervision level upon dramatic behavior change either negatively or positively. Our agency wants to ensure we are supervising all offenders at the appropriate supervision level to ensure he/she is provided the best services possible.

The supervision level is based on both the results of the LSI-R post-sentence (except for SB-123 offenders and some DUI offenders) and the court's order. For example: The LSI-R may not show a high or very high risk or need in the area of substance abuse; however,

if the offense is substance abuse-related, some sort of verification that treatment has been completed is usually required by the court. Outside of a court order and throughout supervision, the LSI-R helps identify risks and needs that may need intervention throughout supervision.

In regard to the LSI-R, our agency has a quality assurance (QA) piece to supervisory audits, but has not been practiced consistently due to time and personnel constraints. This is a gap for our agency that will be addressed in FY 2015. The goal is to randomly review case files upon completion of the offender's intake/orientation period and throughout the offender's supervision period. Although it is a complete audit, the main focus of the QA is to ensure appropriate scoring of the LSI-R based on the notes that are provided. If notes are vague, it is noted as a deficient area in the audit. Our agency believes that proper use of the LSI-R has assisted ISOs with identifying risk and needs that are addressed in the development of a case plan. Our current practice allows ISOs and offenders to discuss the areas of high risk to help the offender see how he/she may be successful through the implementation of specific services while on community corrections.

B) Enhancing intrinsic motivation: For lasting change to occur, a level of intrinsic motivation is desirable. Research strongly suggests that motivational interviewing techniques rather than persuasive tactics effectively enhance motivation for initiating and maintaining behavior changes. Staff is held accountable for using motivational interviewing techniques in their daily interaction with offenders. All ISOs, including the CSWC, have completed ACMS refresher training, and has been trained in the EPICS training as required by KDOC. Staff understands the importance of using these motivational techniques in their day-to-day interactions with offenders. It is important for staff to understand how to find each offender's motivation for change. Our agency completes this task utilizing motivational interviewing. In using motivational interviewing, offenders have an opportunity to see where they may change their behavior rather than telling them where change should occur.

The training ISOs receive is also looked at as an opportunity to provide a form of intrinsic motivation to offenders. When ISOs use motivational interviewing in communicating with offenders, our agency has seen offenders take a more impactful and positive role in their supervision. Offenders tend to be more motivated if they are making more decisions that are responsible for their lifestyle change. To ensure staff is providing the best opportunity for change, supervisors try to make all attempts to observe ISOs and client interaction intermittently, and provide written feedback. We have also recorded office visits in the past. Although this practice is not consistent due to time constraints and personnel changes, supervisors regularly hear conversations between ISOs/offenders throughout the office and the information is noted in staff progress reports/evaluations.

C) Targeting Interventions: Our agency initiates the identification of interventions as we complete the LSI-R interview. The standard conditions of probation, along with the special conditions, are reviewed with the offender to include recommended interventions derived from the LSI-R. ISOs work with offenders to target the medium and high-risk areas shown on the LSI-R assessment. The resources that are provided to address the areas of need are prioritized so that the focus would be on the services most needed and provides the best opportunity for success. Should other interventions be necessary, they

are targeted throughout the offender's supervision period and when the LSI-R reassessment is completed.

Risk & Need Principles: Successfully addressing this offender population requires smaller caseloads, the application of well-developed Case Plans, and placement of offenders into sufficiently intense cognitive-behavioral interventions that target their specific criminogenic needs. Offenders have a variety of needs, some of which are directly linked to criminal behavior, which could pose a risk to the community. These needs are dynamic risk factors that, when addressed, affect the offender's risk from recidivism. We affect these risk factors through a Case Plan based on the criminogenic needs identified through the initial LSI-R assessment and subsequent reassessments as behavior changes. Those offenders, who score as higher risk through the LSI-R, or having higher needs, are required to make additional contacts with their supervising officer than those at lower risk based on required minimum contact standards, which are set forth by KDOC. Those with higher risk and/or need scores often have more interventions, required by the court and/or as directed by their supervising officer, to utilize. These interventions/services are prioritized to focus on the greatest criminogenic need of the offender. While services are prioritized it is also important that we continue to address negative behavior through our sanctioned grid to help promote positive behavior change and discourage negative behavior.

Responsivity Principle: This requires that we consider individual characteristics when matching offenders to services. The principle of responsivity also requires that offenders be provided with treatment that is proven effective with the offender population. Upon review of a referral from District Court or Court Services via the Community Corrections Director or designee, depending on the offender information that is received, the offender is assigned to an ISO. When meeting with the offender, ISOs consider individual characteristics so they can begin to match offenders with the proper services needed. When ISOs meet with the offender, it is their goal to engage offenders and motivate them to want to address their identified areas of risk as well. ISOs will help offenders identify their needs, which are specific to them and will also help them identify the proper community providers to allow a higher chance at being successful. Research has shown that a person's culture, gender, learning style, motivation to change and other factors play a key role in influencing an offender's responsiveness to certain types of treatment. This information, along with our positive relationship with a number of treatment providers in our community, allows us to help the offender get the treatment they need.

Dosage: During the initial 3-9 months of supervision, 40-70% of an offender's free time should be clearly occupied with delineated routine and appropriate services. The dosage of services is determined almost entirely on the level of the offender's LSI-R score. The dosage of reporting, residential, employment and intervention verifications doesn't deviate much unless driven by scheduled or unscheduled LSI-R reassessments based on changes in the offender's behavior. Offenders who show a higher risk to the community receive a higher dose of services and commonly require more strategic, extensive and extended services unless public safety becomes an issue. The Court and/or the ISO may impose interventions to assist the offender in structuring time, including supervision through our internal surveillance program to curtail and monitor evening and weekend activities for a specified period as determined by the ISO. It is our goal not to set the offender up for failure by adding too much to their schedule at any given time. Therefore, prioritizing is an important component in the area of dosage.

Treatment Principle: Cognitive-behavioral based types of treatment are applied as an integral part of our supervision process. Taking a pro-active and strategic approach to supervision and Case Planning is important to the supervision process. Delivering targeted and timely treatment interventions will provide the greatest long-term benefit to the community, the victim and the offender. We understand treatment is an integral part of the offender's Case Plan and work hard to match their need with the appropriate treatment to meet that need based on what is outlined through the LSI-R and as court-ordered.

We believe that a gap regarding the Treatment Principle exists. Although ISOs routinely focus on cognitive skills throughout their daily supervision of offenders, our agency previously struggled with implementing the cognitive-behavioral classes within our agency. Buy-in was a problem since many treatment providers use cognitive-behavioral techniques and therefore, prior to January 2014, ISOs were not referring offenders to the agency's cognitive-behavioral classes on a regular basis. Now that our agency has a Program Provider facilitating class's offender referrals have increased and we have maintained classes internally and in the community. Our goal is to sustain our cognitive skills program as another means to help offender success. In order to help close this gap, our agency will continue to encourage staff to work with offenders on cognitive skills (learned in treatment) during office visits. In addition, our agency has the Court's buy-in regarding the cognitive skills classes. At this time we have a referral process completed and most ISOs are trained to facilitate Thinking for a Change. Our agency will collaborate with other agencies interested in this program as well, which include, but may not be limited to the Lawrence Parole Office as we are already partnering with the Douglas County Reentry program. It is our intent to have ISOs work with offenders to identify ways interventions can be addressed through the case plan as well. Offenders will be able to see a pattern of success as they go through their supervision process.

D) Skill Training With Directed Practice: Our agency believes it is important to provide staff with the proper cognitive training so that they are able to emphasize these cognitive-behavioral strategies to offenders. To successfully deliver this treatment, staff must understand antisocial thinking, social learning, and appropriate communication techniques. According to EBP, agencies should prioritize, plan and budget to implement programs that have been proven to reduce recidivism. Lastly, most ISOs communicate with providers to ensure that what is being administered in-group, and/or individual treatment, is consistent with what cognitive skills are being emphasized during offender supervision.

As well as making sure our staff are fully trained and able to provide the most effective communication strategies, it is just as important to provide offenders on community corrections probation with specific training so that they may be successful as well. Our office currently works with offenders throughout their supervision on goals they believe can help them be successful while on probation and beyond. ISOs continue to practice new skills with offenders as they go through probation. If an offender is in search of a job, they will work with their ISO on how to properly apply for a job opening, discuss the proper attire to wear to a job interview and practice answering interview questions that may come up during a job interview. In addition, role plays have been completed with offenders as they take the position of an ISO and the ISO is the offender. ISOs also try to work with offenders on skills they may have learned in drug treatment, mental health

treatment and/or employment classes. Regarding this principle we will not be addressing any gaps.

E) Increasing Positive Reinforcement: According to EBP, applying a higher ratio of positive reinforcement to negative reinforcement's may result in better-achieved sustained behavioral change. Our agency has put in place an incentives program for offenders whose behavior warrants positive feedback. ISOs may submit an incentive request to the Director or ISO II and receive a gift card from a local merchant. ISOs also have the ability to give the offender a signed certificate acknowledging their positive behavior change. Currently ISOs provide positive reinforcement through verbal rewards. If an offender is on surveillance and/or curfew, offenders may be rewarded for positive behavior by being successfully discharged from the surveillance program and/or having the curfew removed. Offenders also have an opportunity to be reclassified to a lower level of supervision based on either a scheduled or an unscheduled LSI-R reassessment, meeting KDOC criteria. This practice is more of a positive reinforcement than a reward/incentive. ISOs have the option to reward an offender a bike as well, through the new bike program. This is a reward through the incentives program and was established in FY2013, with the collaboration of Lansing Correctional Facility. Offenders also have the possibility of an early discharge if they are in compliance throughout their probation period. Our agency recognizes that not all offenders will respond to the increase of positive reinforcement. Therefore, it is important that clear rules be consistent and swiftly enforced, with appropriate and graduated consequences. In general, offenders will continue to comply with more rewards and less punishments. There are currently no gaps we will be addressing for this principle.

F) Engaging Ongoing Support in the Natural Communities: Current practice is limited in encouraging and engaging ongoing support in natural communities to selected populations. ISOs continue to be active in recruiting family members, spouses and others in the offender's immediate environment to positively reinforce new behaviors. Substance abusers are guided to positive associations and support groups such as AA and NA. Peer associations and familial contacts are reviewed throughout offender supervision and may be targeted towards higher risk offenders.

This principle has been identified as a gap for our agency. Our agency believes there are more opportunities to engage offenders in their natural communities and plan to address this through the mentoring program and through engaging pro-social support that currently exists in the offenders life. In addition, the mentoring program is lacking female mentors. As stated previously, once our agency is fully staffed and caseloads are more balanced, our agency will again solicit mentors for the program. We believe this will help close the gap. In order to sustain this program and make it successful, a policy and procedure is in place along with a mentoring training manual. In addition, we have identified the mentor targeted population. Our agency has met with community members in our county and introduced this program as an opportunity to gain volunteers interested in becoming mentors. Our agency has specifically met with Kansas University, Baker University, Washburn University, and United Way of Douglas County. Brochures and flyers have been distributed throughout the community explaining the application process and applications have recently been received. Our goal is to continue to meet with community members, gain and train volunteers and identify offenders who will be suitable for this mentorship in the community. With this program being implemented, it is our organizational plan to address and improve domains such as attitudes/orientation,

family/marital, education/employment, as well as companions, and leisure/recreation. As an agency we will also work with each offender individually to identify positive role models already in their lives and encourage each offender to include those people in the process of building their case plan. Our goal is to ensure accountability to the goals the offender wants to achieve while on community supervision.

G) Measuring relevant processes/practices: Our agency measures offender success throughout the supervision process. This includes discussions with the offenders and any treatment providers involved. Should there be any positive/negative cognitive-behavioral changes with the offender, ISOs are able to capture this change quickly and provide feedback along with corrective action as needed. ISOs also provide written documentation to the offender within their Case Plan to show when and where change is occurring. In addition, offender success is individualized and measured differently. Roadblocks for offenders during supervision do not necessarily mean failure. Currently, supervisors utilize offender, officer and agency TOADS reports to collect data regarding offender assessment and case management. We also collect data through LSI-R assessments, caseload reports, alpha rosters, employment reports, Full Court reports, intervention reports, ADT (admit, discharge, transfer) reports, court case sentencing reports, and average daily population reports. In addition, ISOs routinely staff cases during weekly staff meetings. Supervisors measure staff performance through random file audits and review of TOADS reports along with annual performance evaluations. In addition, our agency has added an observation QA piece to our program that allows supervisors to observe ISO and client interaction and provide written feedback. Feedback is provided to staff in six month progress reports and yearly evaluations. This practice has not been consistent due to the amount of time involved.

There is limited, informal recidivism information that comes forth on a case-by-case basis. Usually, this information may be found by receiving notice that offenders on supervision are arrested and/or convicted of new offenses or of offenders that have completed probation either successfully or unsuccessfully but re-offend later and are re-assigned to the program. Typically, ISOs receive this information by collateral contacts or by way of Law Enforcement Bulletins.

In regards to this principle we will not be addressing any gaps at this time, but will address ways to continue being at or above a 75% successful rate for offenders in our program.

H) Providing measurement feedback: Providing feedback to offenders regarding their progress builds accountability and is associated with enhanced motivation for change, lower treatment and improved outcomes. In order to enforce accountability and maintain integrity to the agency's mission, supervisors monitor ISO/offender interaction to ensure staff keeps focused on the ultimate goal of reducing recidivism through the use of evidenced based principles.

Weekly ISO meetings are held to provide staff an opportunity to review with other co-workers their offender's progress. Case Plans are reviewed with the offender throughout their supervision period to address any needs and accomplishments. Change is also monitored through LSI-R re-assessments.

Offender-based data is reviewed and evaluated annually through staff performance evaluations that include whether or not departmental and KDOC standards are being met. Random file audits are also completed. The Comprehensive Plan also will address outcomes and is forwarded to the Advisory Board, County Commissioners, the Chief Judge, and the Court Administrator for review. The Quarterly Reports also provide outcomes as to how our program is proceeding and is provided to the Advisory Board Sub-committee.

Our agency randomly provides offenders that are being successfully discharged from our program an opportunity to provide agency feedback regarding our program. We can measure progress internally and through data but it helps to receive feedback from the offenders we supervise. In regards to this principle we will not be addressing any gaps at this time.

MANAGEMENT AND ORGANIZATIONAL CAPABILITIES

All staff will be responsible for developing and implementing the overall plan of the agency. All staff is responsible for helping to reduce revocations and increase successful terminations. Staff will be committed to enhancing public safety by helping offenders be successful while on probation and preparing them to live law-abiding and productive lives upon successful discharge.

Currently, the Director and ISO II are responsible for overall supervision/auditing, to include running quarterly TOADS reports to make sure the agency is meeting the 75% successful rate. In addition, an ISO is responsible for running the Court Case Sentencing Information Report and relaying revocations/successful terminations percentages to ISOs. The Director and ISO II are also responsible for overseeing and evaluating the overall program and provide information to the Chief Administrative Judge, Court Administrator, Advisory Board, and County Commissioners regarding how well the program is doing and request any feedback. All ISOs, CSW Coordinator, and surveillance officers are responsible for completing all risk reduction training to include refresher trainings. Our agency has six ISOs who have been trained to facilitate the cognitive skills training. The agency's ISO II was overseeing the mentoring program prior to his resignation. The responsibilities have been given to another ISO, whose caseload will also be reduced to be able to oversee the mentoring program. This will take place as soon as the agency is fully staffed. National Toxicology Lab was the provider for the agency's urinalysis services and all specimens were sent to the laboratory for testing. In September, 2013 our agency switched to Redwood Toxicology and all specimens are completed within the office, unless the officer needs confirmation and then it is sent to the laboratory. Alcohol Monitoring Systems is our contact for our SCRAM program.

The Advisory Board ensures that the overall goals and objectives of the program are effectively administered. The Advisory Board is provided with written information (i.e. comprehensive plan/budget, quarterly reports, and policy/procedures) regarding our agency prior to our quarterly meetings, providing them ample time to review and note any concerns that will be addressed during our quarterly meetings. In addition, data provided by KDOC is also provided for review. Along with this, the Board reviews the development and implementation of current and new programs; makes any recommended changes (amendments) to the annual comprehensive plan before approving it to be submitted to the Board of County Commission; and, evaluates action plans, goals and objectives for Community Corrections services. This includes, but is not limited to Adult

Supervision, Community Service Work Program, and the Anger Control Program. Our agency could not proceed without the help of the Advisory Board making sure that the program we have in place is acceptable through regular feedback and suggestions.

The Advisory Board will continue to approve and oversee our whole program including our Risk Reduction Initiative. The Advisory Board's sub-committee will conduct the quarterly reviews of the planning, implementation and outcomes of the initiative, providing feedback and direction.

The Douglas County Commission provides general oversight for Douglas County Community Corrections by approving all required plans and budgets of the agency. During previous budget shortfalls, especially when it affects personnel, the County Commission has been helpful in helping our program maintain staff. Without the County's assistance, our agency would be faced with layoffs, overworked staff, and an increase in our revocation rate, resulting in a decrease in successful terminations. In addition, public safety would be jeopardized.

The Douglas County Commission will approve our Risk Reduction Initiative and will, in general, oversee all our programs, approving all planning and budgeting items.

Monitoring and Evaluation

Monitoring and evaluation are important for program development. Measurement and progress toward organizational goals provides our agency with guidance and feedback to aid in success of offender supervision. A healthy program forms the foundation for an effective change process and ensures the success of our agency. In addition, reviewing our agency gaps and strategies helps with removal of barriers that may contribute to an unsuccessful program, therefore careful monitoring and adjustments of the programs we have in place is very important.

The Douglas County Community Corrections Advisory Board Monitoring Sub-Committee will be responsible for conducting the reviews. The four member committee consists of well qualified members of the Advisory Board. In addition, the committee can enlist a University of Kansas faculty member or other outside experts to help with these reviews. Outcomes of the reviews will be documented through quarterly meeting minutes and provided to the members of the Advisory Board, including sub-committee members, along with the designated stakeholders.

Once the data is collected, organized systematically, and evaluated it will be used to help our agency determine where weaknesses lie in specific parts of the program. The data can be analyzed further to suggest ways to modify the program to enhance overall performance. The data will also be used to confirm that each component of the program is meeting the agency's expectations. If a component of the program is not effective in advancing the overall goal of the initiative it can be replaced with something else that could be more effective in contributing to the overall success of the initiative.

The economy continues to be a concern and although expenses to run a quality program continue to increase, many agencies have received budget cuts. Should there be additional grant funding available (i.e. unexpended funds, etc.), our agency will apply for those grants. As mentioned throughout this Grant Application, our plan is to help keep

our community safe, and help offenders from spending any amount of time behind prison walls.

Although several gaps were mentioned in the Integrated Model, for FY 2013 our agency will be addressing the following gaps to achieve agency success/outcomes:

Outcome to help close the gaps identified in Organizational development and Engaging Ongoing Support in the Natural Communities: Revitalize the agency's mentoring program to help with offender pro-social orientations during FY 2015. In addition to helping close this gap, below are strategies to help our agency achieve at least a 75% success rate.

Strategies to achieve success for Outcome/Gap:

- By July 1st 2014, our agency will be fully staffed and caseloads adjusted so that the mentoring program facilitator will be able to begin to solicit both male/female volunteers;
- By September 1st 2014, collaborate with staff regarding offenders that will be eligible for the program;
- By October 1st 2014, identify volunteer population via interview process;
- By November 1st 2014, review and schedule/finalize a Mentor Selection Interview process;
- By December 1st 2014, schedule and complete a training for volunteers that include, but not limited to: training curriculum; conduct of mentors; prohibited behavior; acceptable activities; required activities; and offender incentives;
- By December 30th 2014, have a special staff meeting to discuss matching offenders with suitable mentors and review the referral process; and,
- January 1st 2015, eligible offenders will begin meeting with their mentor;

Evaluation/Data Component for Outcome/Gap:

- March 1st 2015, review the internal data spreadsheet that tracks successful/unsuccessful terminations from the mentoring program; and,
- Obtain data from LSI-R Performance Report to review domain scores to see if scores are decreasing in the targeted domains: Attitudes/Orientations, Education/Employment, and Family/Marital along with other domains that may be affected such as, Leisure/Recreation and Companions.

Outcome to help close the gaps identified in Organizational development and Targeting Interventions: Revitalize the cognitive skills program to assist with offender thinking patterns utilizing the Thinking for a Change (T4C) curriculum during FY 2015. In addition to helping close this gap, below are strategies to help our agency achieve at least a 75% success rate.

Strategies to achieve success for Outcome/Gap:

- By July 1st 2014, review the T4C program with the re-entry program to determine what is working/not working; and,

- By July 1st 2014, continue collaboration with the Lawrence, Kansas State Parole Office regarding establishing a partnership to assist both CC/Parole offenders;

Evaluation/Data Component for Outcome/Gap:

- Review of the internal referral log once a month for placement of potential participants in the program;
- Updating/reviewing the data spreadsheet that will track successful/unsuccessful terminations from the cognitive skills program following each session; and,
- Obtain data from LSI-R Performance Report to review if domain scores are decreasing in the areas of Leisure/Recreation, Education/Employment, Companions, Family/Marital and Attitudes/Orientations.

Outcome to help better our agency's Measures and Relevant Processes/Practices:

Achieve and maintain a supervision success rate of at least 75% or improving such rate by at least 3% each year, by June 30th, 2015.

Strategies to achieve success for Outcome/Gap:

- Per policy and procedure, all ISOs are required to obtain supervisory approval for any recommended revocations; and,
- Per policy and procedure, all referrals to community corrections will be monitored by the Director to ensure proper placement in community corrections.

Evaluation/Data Component for Outcome/Gap:

- Complete quarterly reports by obtaining data from the KDOC database in reviewing the Court Case Sentencing Information report; and,
- Review successful terminations/revocation percentages with staff at the minimum quarterly.
- Supervisors will randomly monitor interaction between the ISO/offender via recorded office visits once per month; and,
- Supervisors will provide written/verbal feedback to ISOs.

Outcome to help close the gap identified in Providing Measurement Feedback:

Director/ISO II will complete random audits to ensure ISOs are upholding evidence based practices. In addition to helping close this gap, below are strategies to help our agency achieve at least a 75% success rate.

Strategies to achieve success for Outcome/Gap:

- Supervisors will randomly select two files per month per ISO for auditing. Audits will include both file/TOADS reviews.
- Director/ISO II will work with KDOC regarding the agency's fidelity piece.

Evaluation/Data Component for Outcome/Gap:

- Supervisors will provide written/verbal feedback to ISOs.
- ISOs will be expected to respond to the audits and correct any deficiencies within 30 days of receiving the audit.

FY 2015

PERSONNEL BUDGET NARRATIVE

AGENCY NAME

Both budgets are required

Please attach a Budget Summary to this document

TOTAL PERSONNEL

463,583.89 501,311.13

Current Actual

Allocation Operations

PERSONNEL SECTION

1A ADMIN PERSONNEL

Enter Changed Amount

Name	FTE	New Staff	Salary Detail	Salary	CC percent	Subtotal	
Deborah Ferguson	100%		Director 75% Administration	43,808.30	100.00%	43,808.30	43,808.30
Olivia Cates	50%		ISO II 50% Administration	22,558.83	100.00%	22,558.83	22,558.83
Lacy Deathe	100%		100% Admin Secretary	29,087.13	100.00%	29,087.13	29,087.13

TOTAL SALARY 95,454.26 95,454.26

Name	FTE	New Staff	Benefits Detail	Salary, etc.	CC percent	Subtotal	Name Total	
Deborah Ferguson	100%			43,808.30			15,035.23	15,035.23
			FICA Social Security	43,808.30	6.20%	2,716.11		
			FICA Medicare	43,808.30	1.45%	635.22		
			KPERS (Retirement Benefits)	2,367.09	100.00%	2,367.09		
			State Unemployment	43,808.30	0.37%	162.09		
			State Workman's Comp	43,808.30	4.82%	2,111.56		
			Health Insurance	6,383.16	100.00%	6,383.16		
			Life Insurance	0.00	100.00%	0.00		
			Longevity (\$40/year)	660.00	100.00%	660.00		
			(Please Specify)	0.00	100.00%	0.00		
Olivia Cates	50%			22,558.83			4,991.99	4,991.99
			FICA Social Security	22,558.83	6.20%	1,398.65		
			FICA Medicare	22,558.83	1.45%	327.10		
			KPERS (Retirement Benefits)	618.83	100.00%	618.83		
			State Unemployment	22,558.83	0.37%	83.47		
			State Workman's Comp	22,558.83	4.82%	1,087.34		
			Health Insurance	1,476.60	100.00%	1,476.60		
			Life Insurance	0.00	100.00%	0.00		
			Longevity	0.00	100.00%	0.00		
			(Please Specify)	0.00	100.00%	0.00		
Lacy Deathe	100%			29,087.13			12,381.55	12,381.55
			FICA Social Security	29,087.13	6.20%	1,803.40		
			FICA Medicare	29,087.13	1.45%	421.76		
			KPERS (Retirement Benefits)	1,447.72	100.00%	1,447.72		
			State Unemployment	29,087.13	0.37%	107.62		
			State Workman's Comp	29,087.13	0.31%	90.17		

FY 2015

PERSONNEL BUDGET NARRATIVE

AGENCY NAME

			Health Insurance	8,510.88	100.00%	8,510.88		
			Life Insurance	0.00	100.00%	0.00		
			Longevity	0.00	100.00%	0.00		
			(Please Specify)	0.00	100.00%	0.00		
			TOTAL BENEFITS				20,027.22	20,027.22
1A	TOTAL ADMIN PERSONNEL						115,481.48	115,481.48

FY 2015

PERSONNEL BUDGET NARRATIVE

AGENCY NAME

Personnel Category Comments: Salaries for Administration include 2% increase; Director - 75% admin. ISO II 50% admin. Admin Secretary salary includes two step movements in FY15. Benefits are "only" estimates received from payroll and the employer pays health insurance. According to the County there may be an "increase" in health insurance. KPERS figures are received from payroll. Longevity - Director.

1B AISP PERSONNEL

Enter Changed Amount

Name	FTE	New Staff	Salary Detail	Salary	CC percent	Subtotal			
Deborah Ferguson	100%		Director 25% AISP	14,602.76	100.00%	14,602.76	14,602.76		
Olivia Cates	50%		ISO II 50% AISP	22,558.83	100.00%	22,558.83	22,558.83		
Barry Urbanek	100%		ISO I	48,311.68	100.00%	48,311.68	48,311.68		
Benjamin Shannon	100%		ISO I	40,899.96	100.00%	40,899.96	40,899.96		
Claudia Fisher	100%		ISO I	44,001.78	100.00%	44,001.78	44,001.78		
ISO I (Vacant)	100%		ISO I	40,899.96	100.00%	40,899.96	40,899.96		
Wendy Hugeback	100%		ISO I	47,911.68	100.00%	47,911.68	47,911.68		
Chris Pagano	50%		Part-time Surveillance		100.00%	0.00		16,717.14	
Jim White	50%		Part-time Surveillance		100.00%	0.00	0.00	16,717.14	
						0.00	0.00		
TOTAL SALARY:							259,186.65	292,620.93	

Name	FTE	Benefits Detail	Salary etc	CC percent	Subtotal	Name Total	
Deborah Ferguson	100%		14,602.76			5,011.74	5,011.74
		FICA Social Security	14,602.76	6.20%	905.37		
		FICA Medicare	14,602.76	1.45%	211.74		
		KPERS (Retirement Benefits)	789.03	100.00%	789.03		
		State Unemployment	14,602.76	0.37%	54.03		
		State Workman's Comp	14,602.76	4.82%	703.85		
		Health Insurance	2,127.72	100.00%	2,127.72		
		Life Insurance	0.00	100.00%	0.00		
		Longevity (\$40/year)	220.00	100.00%	220.00		
		(Please Specify)	0.00	100.00%	0.00		
Olivia Cates	50%		22,558.83			9,182.85	9,182.85
		FICA Social Security	22,558.83	6.20%	1,398.65		
		FICA Medicare	22,558.83	1.45%	327.10		
		KPERS (Retirement Benefits)	1,856.49	100.00%	1,856.49		
		State Unemployment	22,558.83	0.37%	83.47		
		State Workman's Comp	22,558.83	4.82%	1,087.34		
		Health Insurance	4,429.80	100.00%	4,429.80		
		Life Insurance	0.00	100.00%	0.00		
		Longevity	0.00	100.00%	0.00		
		(Please Specify)	0.00	100.00%	0.00		

FY 2015

PERSONNEL BUDGET NARRATIVE

AGENCY NAME

Employee Name	Percentage	Agency Name	Base Salary	Rate	Benefit Amount	Total	Total
Barry Urbanek	100%		48,311.68			13,102.60	13,102.60
		FICA Social Security	48,311.68	6.20%	2,995.32		
		FICA Medicare	48,311.68	1.45%	700.52		
		KPERS (Retirement Benefits)	2,595.19	100.00%	2,595.19		
		State Unemployment	48,311.68	0.37%	178.75		
		State Workman's Comp	48,311.68	4.82%	2,328.62		
		Health Insurance	3,304.20	100.00%	3,304.20		
		Life Insurance	0.00	100.00%	0.00		
		Longevity (\$40/year-25 yr max)	1,000.00	100.00%	1,000.00		
		(Please Specify)	0.00	100.00%	0.00		
Benjamin Shannon	100%		40,899.96			10,191.76	10,191.76
		FICA Social Security	40,899.96	6.20%	2,535.80		
		FICA Medicare	40,899.96	1.45%	593.05		
		KPERS (Retirement Benefits)	40,899.96	4.00%	1,636.00		
		State Unemployment	40,899.96	0.37%	151.33		
		State Workman's Comp	40,899.96	4.82%	1,971.38		
		Health Insurance	3,304.20	100.00%	3,304.20		
		Life Insurance	0.00	100.00%	0.00		
		Longevity	0.00	100.00%	0.00		
		(Please Specify)	0.00	100.00%	0.00		
Claudia Fisher	100%		44,001.78			16,574.36	16,574.36
		FICA Social Security	44,001.78	6.20%	2,728.11		
		FICA Medicare	44,001.78	1.45%	638.03		
		KPERS (Retirement Benefits)	2,413.64	100.00%	2,413.64		
		State Unemployment	44,001.78	0.37%	162.81		
		State Workman's Comp	44,001.78	4.82%	2,120.89		
		Health Insurance	8,510.88	100.00%	8,510.88		
		Life Insurance	0.00	100.00%	0.00		
		Longevity	0.00	100.00%	0.00		
		(Please Specify)	0.00	100.00%	0.00		
ISO I	100%		40,899.96			17,176.08	17,176.08
		FICA Social Security	40,899.96	6.20%	2,535.80		
		FICA Medicare	40,899.96	1.45%	593.05		
		KPERS (Retirement Benefits)	2,413.64	100.00%	2,413.64		
		State Unemployment	40,899.96	0.37%	151.33		
		State Workman's Comp	40,899.96	4.82%	1,971.38		
		Health Insurance	8,510.88	100.00%	8,510.88		
		Life Insurance	0.00	100.00%	0.00		
		Longevity (\$40/year, max \$1000)	1,000.00	100.00%	1,000.00		
		(Please Specify)	0.00	100.00%	0.00		
Wendy Hugeback	100%		47,911.68			17,676.37	17,676.37
		FICA Social Security	47,911.68	6.20%	2,970.52		

FY 2015

PERSONNEL BUDGET NARRATIVE

AGENCY NAME

		FICA Medicare	47,911.68	1.45%	694.72			
		KPERS (Retirement Benefits)	2,413.64	100.00%	2,413.64			
		State Unemployment	47,911.68	0.37%	177.27			
		State Workman's Comp	47,911.68	4.82%	2,309.34			
		Health Insurance	8,510.88	100.00%	8,510.88			
		Life Insurance	0.00	100.00%	0.00			
		Longevity (\$40/year)	600.00	100.00%	600.00			
Chris Pagano	100%					0.00	0.00	2,146.48
		FICA Social Security		6.20%	0.00			
		FICA Medicare		1.45%	0.00			
		KPERS (Retirement Benefits)	0.00	0.00%	0.00			
		State Unemployment		0.37%	0.00			
		State Workman's Comp		4.82%	0.00			
		Health Insurance	0.00	100.00%	0.00			
		Life Insurance	0.00	100.00%	0.00			
		Longevity	0.00	100.00%	0.00			
		(Please Specify)	0.00	100.00%	0.00			
Jim White	100%					0.00	0.00	2,146.48
		FICA Social Security		6.20%	0.00			
		FICA Medicare		1.45%	0.00			
		KPERS (Retirement Benefits)	0.00	0.00%	0.00			
		State Unemployment		0.37%	0.00			
		State Workman's Comp		4.82%	0.00			
		Health Insurance	0.00	100.00%	0.00			
		Life Insurance	0.00	100.00%	0.00			
		Longevity	0.00	100.00%	0.00			
		(Please Specify)	0.00	100.00%	0.00			
TOTAL BENEFITS						88,915.76	93,208.72	
1B TOTAL AISP PERSONNEL						348,102.41	385,829.65	
Personnel Category Comments: Salaries for AISP include 2% raise. Surveillance removed to meet FY14 award. Director 25% AISP; ISO II 50% AISP. FY15 salary for Wendy Hugeback includes step movement. ISO vacancy (will be filled) two step movements. Benefits estimates from payroll & employer pays health insurance. According to the County, may be an "increase" in health insurance. KPERS figures from payroll. Vacant ISO longevity estimate max.								
TOTAL PERSONNEL SECTION						463,583.89	507,311.13	

FY 2015

NON-PERSONNEL BUDGET NARRATIVE

AGENCY NAME

Both budgets are required

Please attach a Budget Summary to this document

TOTAL NON-PERSONNEL

11,455.32	16,788.32
Current	Actual
Allocation	Operations

AGENCY OPERATIONS SECTION

2A TRAVEL CATEGORY	Details	CC	percent	Subtotal		Enter/Changed Amount
Expenses for essential travel		500.00	100.00%	500.00	500.00	
K-Tag		200.00	100.00%	200.00	200.00	
Fuel		0.00	100.00%	0.00	0.00	
Vehicle Maintenance		755.32	100.00%	755.32	755.32	
		0.00	100.00%	0.00	0.00	
2A TOTAL TRAVEL CATEGORY					1,455.32	1,455.32

Travel Category Comments: Out-of-town travel is limited to essentials. K-Tag expenses are for two vehicles. Vehicles are continuously used for ISO/surveillance field work including rural areas/ and surrounding counties. County pays fuel/maintenance expenses for regular operations. In the future, expenses may become the responsibility of the agency. Agency pays for major maintenance.

2B TRAINING	Details	CC	percent	Subtotal		Enter/Changed Amount
Work Related Training	Vacant ISO/Ben Shannon		100.00%	0.00	0.00	1,000.00
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
2B TOTAL TRAINING CATEGORY					0.00	1,000.00

Training Category Comments: Training includes mandated KDOC training for vacant ISO and Ben Shannon (ISO I) that may not be located in surrounding area. Staff are encouraged to attend any free training that is applicable to their position.

2C COMMUNICATION	Details	CC	percent	Subtotal		Enter/Changed Amount
Cell Phone Expense		3,000.00	100.00%	3,000.00	3,000.00	
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
2C TOTAL COMMUNICATION CATEGORY					3,000.00	3,000.00

Communication Category Comments: Cell phones provided for two agency vehicles for ISOs/surveillance to use in the field. County has upgraded from blackberry's to I-phones. Both Director/ISO have an I-phone.

2D TOTAL EQUIPMENT	Details	CC	percent	Subtotal		Enter/Changed Amount
Agency Laptop			100.00%	0.00	0.00	1,583.00
Alco-sensor			100.00%	0.00	0.00	750.00
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
2D TOTAL EQUIPMENT CATEGORY					0.00	2,333.00

FY 2015

NON-PERSONNEL BUDGET NARRATIVE

AGENCY NAME

Equipment Category Comments: Request agency laptop to assist ISOs while in the field; current alco-sensor no longer functions and request new alco-sensor for office/field.

2E	SUPPLIES/COMMODITIES	Details	CC percent	Subtotal		Enter Changed Amount
	Necessary Supplies		100.00%	2,000.00	2,000.00	
	Desk		100.00%	0.00	0.00	1,000.00
	File Cabinet		100.00%	0.00	0.00	1,000.00
		0.00	100.00%	0.00	0.00	
		0.00	100.00%	0.00	0.00	
2E	TOTAL SUPPLIES/COMMODITIES CATEGORY				2,000.00	4,000.00

Supplies/Commodities Comments: Expenses for necessary office supplies throughout the fiscal year. Staff are required to obtain supervisory approval prior to any needed supplies being order. Requesting desk/file cabinet for ISO II. Currently, desk/file cabinet pretty old/out dated.

2F	FACILITY	Details	CC percent	Subtotal		Enter Changed Amount
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
2F	TOTAL FACILITY CATEGORY				0.00	0.00

Facility Category Comments:

2G	CONTRACTUAL	Details	CC percent	Subtotal		Enter Changed Amount
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
			100.00%	0.00	0.00	
2G	TOTAL CONTRACTUAL CATEGORY				0.00	0.00

Contractual Category Comments:

TOTAL AGENCY OPERATIONS SECTION

6,455.32 **11,788.32**

**FY 2015
BUDGET SUMMARY
AGENCY NAME**

Please attach a Budget Narrative to this document

		Current Allocation	Actual Operations
PERSONNEL SECTION		Cells auto fill-Verify amounts against Narrative	
1A ADMIN PERSONNEL CATEGORY			
Salary		95,454.26	95,454.26
Benefits		20,027.22	20,027.22
1B AISP PERSONNEL CATEGORY			
Salary		259,186.65	292,620.93
Benefits		88,915.76	93,208.72
TOTAL PERSONNEL SECTION		463,583.89	501,311.13
AGENCY OPERATIONS SECTION		Cells auto fill-Verify amounts against Narrative	
2A TRAVEL CATEGORY		1,455.32	1,455.32
2B TRAINING CATEGORY		0.00	1,000.00
2C COMMUNICATIONS CATEGORY		3,000.00	3,000.00
2D EQUIPMENT CATEGORY		0.00	2,333.00
2E SUPPLIES/COMMODITIES CATEGORY		2,000.00	4,000.00
2F FACILITY CATEGORY		0.00	0.00
2G CONTRACTUAL CATEGORY		0.00	0.00
TOTAL AGENCY OPERATIONS SECTION		6,455.32	11,788.32
CONTRACTS/CLIENT SERVICES SECTION		Cells auto fill-Verify amounts against Narrative	
3A CONTRACTS/CLIENT SERVICES CATEGORY			
Drug Testing Supplies		1,000.00	1,000.00
Drug Testing Services		2,500.00	2,500.00
Substance Abuse Evaluations		0.00	0.00
Substance Abuse Treatment		0.00	0.00
Mental Health Evaluations		0.00	0.00
Mental Health Treatment		0.00	0.00
Sex Offender Evaluations		0.00	0.00
Sex Offender Treatment		0.00	0.00
Academic Education Services		0.00	0.00
Vocational Education Services		0.00	0.00
Transportation Assistance		500.00	500.00
Housing Assistance		0.00	0.00
Subsistence		0.00	0.00
Cognitive Skills		0.00	0.00
Client Incentives		1,000.00	1,000.00
Electronic Monitoring Services		0.00	0.00
Surveillance Services		0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
	0	0.00	0.00
TOTAL CONTRACTS/CLIENT SERVICES CATEGORY		5,000.00	5,000.00
TOTAL CONTRACTS/CLIENT SERVICES SECTION		5,000.00	5,000.00
TOTAL NON-RESIDENTIAL FY15 BUDGET SUMMARY		475,039.21	518,099.45

**FY 2015
BUDGET SUMMARY
AGENCY NAME**

Please attach a Budget Narrative to this document

Current Allocation

Actual Operations

You may delete the rows below if you do not have Residential

ADULT RESIDENTIAL SECTION

Cells auto fill-Verify amounts against Narrative

4A PERSONNEL CATEGORY

Salary	0.00	0.00
Benefits	0.00	0.00

TOTAL PERSONNEL SECTION	0.00	0.00
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RESIDENTIAL OPERATIONS SECTION

Cells auto fill-Verify amounts against Narrative

5A TRAVEL CATEGORY

	0.00	0.00
--	------	------

5B TRAINING CATEGORY

	0.00	0.00
--	------	------

5C COMMUNICATIONS CATEGORY

	0.00	0.00
--	------	------

5D EQUIPMENT CATEGORY

	0.00	0.00
--	------	------

5E SUPPLIES/COMMODITIES CATEGORY

	0.00	0.00
--	------	------

5F FACILITY CATEGORY

	0.00	0.00
--	------	------

5G CONTRACTUAL CATEGORY

	0.00	0.00
--	------	------

TOTAL RESIDENTIAL OPERATIONS SECTION	0.00	0.00
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CONTRACTS/CLIENT SERVICES SECTION

Cells auto fill-Verify amounts against Narrative

6A CONTRACTS/CLIENT SERVICES CATEGORY

Drug Testing Supplies	0.00	0.00
Drug Testing Services	0.00	0.00
Substance Abuse Evaluations	0.00	0.00
Substance Abuse Treatment	0.00	0.00
Mental Health Evaluations	0.00	0.00
Mental Health Treatment	0.00	0.00
Sex Offender Evaluations	0.00	0.00
Sex Offender Treatment	0.00	0.00
Academic Education Services	0.00	0.00
Vocational Education Services	0.00	0.00
Transportation Assistance	0.00	0.00
Housing Assistance	0.00	0.00
Subsistence	0.00	0.00
Cognitive Skills	0.00	0.00
Client Incentives	0.00	0.00
Electronic Monitoring Services	0.00	0.00
Surveillance Services	0.00	0.00
	0.00	0.00
	0.00	0.00
	0.00	0.00
	0.00	0.00
	0.00	0.00
	0.00	0.00

TOTAL CONTRACTS/CLIENT SERVICES CATEGORY	0.00	0.00
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TOTAL CONTRACTS/CLIENT SERVICES SECTION	0.00	0.00
--	-------------	-------------

TOTAL ADULT RESIDENTIAL SECTION	0.00	0.00
--	-------------	-------------

Total below includes applicable agency operations

TOTAL FY2015 BUDGET SUMMARY	475,039.21	518,099.45
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FUNDING CONSIDERATIONS

As of 2/28/13
Reported

As of 2/28/14
Current Allocation

Difference

Comments/Explanation of Changes

A Staffing Levels

INSTRUCTIONS

FTE

FTE

AGENCY

Intensive Supervision officers	4.00	-	4.00
Director	0.25	-	0.25
ISO II	0.75	-	0.75
XXXXXX	-	-	-

Total	<u>5.00</u>	<u>-</u>	<u>5.00</u>	Full staff 5 full-time ISOs; Director 25%; ISO 75%
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RESIDENTIAL

Residential Case Managers	-	-	-
Correctional Advisors	-	-	-
Senior Case Managers	-	-	-
XXXXXX	-	-	-
XXXXXX	-	-	-

Total	<u>-</u>	<u>-</u>	<u>-</u>
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FUNDING CONSIDERATIONS

	<u>FY2013 Budget</u>	<u>FY2013 Expended</u>	<u>FY2013 Difference</u>	<u>FY2015 Current Allocation</u>	<u>Comments/Explanation of Changes</u>
B Administrative Costs					
INSTRUCTIONS					
Salaries	#####	382,094.79	(33,037.26)	354,640.91	Revised Grant Budget, ReimbE, Unexpended Funds
Benefits	#####	147,088.42	(1.60)	108,942.98	Revised Grant Budget, ReimbE, Unexpended Funds
Total	#####	529,183.21	(33,038.86)	463,583.89	

C Funded Contracts Remaining Unused
INSTRUCTIONS

AGENCY

(List the products and/or services the agency purchased on a contractual Basis)

Drug Testing Services	500.00	377.16	122.84	1,000.00	Revised Grant Budget
Drug Testing Supplies	1,850.46	2,133.15	(282.69)	2,500.00	Revised Grant Budget; ReimbE
XXXXX	-	-	-	-	
XXXXX	-	-	-	-	
Total	2,350.46	2,510.31	(159.85)	3,500.00	

RESIDENTIAL

(List the products and/or services the agency purchased on a contractual Basis)

Drug Testing Services	-	-	-	-	
Food Services	-	-	-	-	
Transportation contract	-	-	-	-	
XXXXX	-	-	-	-	
Total	-	-	-	-	

D Indirect Costs
INSTRUCTIONS

Fixed Indirect Costs

AGENCY

Facility

Rent

XXXXX

Total	-	-	-	-	
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FUNDING CONSIDERATIONS

	FY2013	FY2013	FY2013	FY2015	
RESIDENTIAL					
Facility					
Rent	-	-	-	-	
XXXXX	-	-	-	-	
Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	
Variable Indirect Costs					
AGENCY					
Training					
Registration	-	-	-	-	
Lodging	-	-	-	-	
Per Diem	-	-	-	-	
Mileage	-	-	-	-	
Total	<u>371.82</u>	<u>101.50</u>	<u>270.32</u>	<u>-</u>	Revised Grant Budget
Communication					
Cell Phones	1,263.04	1,263.04	-	-	Revised Grant Budget
Land Line	-	-	-	-	
Internet	-	-	-	-	
XXXXX	-	-	-	-	
Total	<u>1,263.04</u>	<u>1,263.04</u>	<u>-</u>	<u>-</u>	
Equipment					
Copier Lease Payment	-	-	-	-	
Equipment rental/lease	-	-	-	-	
Portable Radio	3,500.00	333.00	3,167.00	-	Revised Grant Budget
XXXXX	-	-	-	-	
Total	<u>3,500.00</u>	<u>333.00</u>	<u>3,167.00</u>	<u>-</u>	
Supplies and Commodities					
Expendable Office Supplies	805.91	805.91	-	-	
Printing	-	-	-	-	
XXXXX	-	-	-	-	
XXXXX	-	-	-	-	
XXXXX	-	-	-	-	
Total	<u>805.91</u>	<u>805.91</u>	<u>-</u>	<u>-</u>	
Facility					
Utilities	-	-	-	-	
Trash Hauling	-	-	-	-	

FUNDING CONSIDERATIONS

	FY2013	FY2013	FY2013	FY2015
Buidling Maintenance & Repair	-	-	-	-
XXXXX	-	-	-	-
XXXXX	-	-	-	-
Total	-	-	-	-

RESIDENTIAL

Training

Registration	-	-	-	-
Lodging	-	-	-	-
Per Diem	-	-	-	-
XXXXX	-	-	-	-
Total	-	-	-	-

Communication

Cell Phones	-	-	-	-
Land Line	-	-	-	-
Internet	-	-	-	-
XXXXX	-	-	-	-
Total	-	-	-	-

Equipment

Equipment Repair	-	-	-	-
Appliances	-	-	-	-
Lawn & Garden	-	-	-	-
Computer	-	-	-	-
XXXXX	-	-	-	-
Total	-	-	-	-

Supplies and Commodities

Expendable Office Supplies	-	-	-	-
Printing	-	-	-	-
XXXXX	-	-	-	-
XXXXX	-	-	-	-
XXXXX	-	-	-	-
Total	-	-	-	-

Facility

Utilities	-	-	-	-
Trash Hauling	-	-	-	-
Buidling Maintenance & Repair	-	-	-	-

FUNDING CONSIDERATIONS

XXXXX
XXXXX
XXXXX

	FY2013	FY2013	FY2013	FY2015
	-	-	-	-
	-	-	-	-
	-	-	-	-
Total	-	-	-	-

FUNDING CONSIDERATIONS

E. Client Numbers
INSTRUCTIONS

ADP as of 2/28/14

177.50

Funding Considerations - Caseload Projections

<u>Fiscal Year</u>	<u>Average Daily Population</u>	<u>Percent of Change</u>	<u>Average % Change</u>	<u>Projected Caseload</u>	<u>Comments/Explanation of Changes</u>
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F. Caseload Projections
INSTRUCTIONS

AGENCY

	2010	184.7			
	2011	178	-3.6%		
	2012	178.3	0.2%		
	2013	178.7	0.2%	-1.1%	
(Projected)	2015	176.8	-1.1%		#DIV/0!

RESIDENTIAL

	2010	0			
	2011	0	#DIV/0!		
	2012	0	#DIV/0!		
	2013	0	#DIV/0!	#DIV/0!	
(Projected)	2015	#DIV/0!	#DIV/0!		#DIV/0!

FUNDING CONSIDERATIONS

	<u>FY2013</u>	<u>FY2013</u>	<u>FY2013</u>	<u>FY2015</u>	
	<u>Budget</u>	<u>Expended</u>	<u>Difference</u>	<u>Current Allocation</u>	<u>Comments/Explanation of Changes</u>

G. Travel Costs
INSTRUCTIONS

AGENCY

Vehicle Maintenance	-	-	-	-	
Fuels	300.00	-	300.00	-	
Meals	-	-	-	-	
Ktag	100.80	-	100.80	-	
Total	400.80	-	400.80	-	

RESIDENTIAL

Vehicle Maintenance	-	-	-	-	
Fuels	-	-	-	-	
Meals	-	-	-	-	
XXXXX	-	-	-	-	
Total	-	-	-	-	

Total Miles Driven

AGENCY

Total Miles Driven in FY2013 14,659

RESIDENTIAL

Total Miles Driven in FY2013 -

FUNDING CONSIDERATIONS

	FY2013	FY2013	FY2013	FY2015	
	<u>Budget</u>	<u>Expended</u>	<u>Difference</u>	<u>Current Allocation</u>	<u>Comments/Explanation of Changes</u>

H. Contracted Service Costs

INSTRUCTIONS

Not addressed in ("C" Funded Contracts Remaining Unused)

AGENCY

Drug Testing Supplies	-	-	-	-	
Intrepeting Services	-	-	-	-	
Client Vouchers	-	-	-	-	
XXXXXX	-	-	-	-	
XXXXXX	-	-	-	-	
Total	-	-	-	-	

RESIDENTIAL

Drug Testing Supplies	-	-	-	-	
Pre-Placement Physicals	-	-	-	-	
Prescription Services	-	-	-	-	
XXXXXXXX	-	-	-	-	
XXXXXXXX	-	-	-	-	
Total	-	-	-	-	

FUNDING CONSIDERATIONS

% of Shrinkage

I. Shrinkage INSTRUCTIONS

AGENCY
Shrinkage % -6.66%

RESIDENTIAL
Shrinkage % #DIV/0!

Funding Considerations - Vacancy Savings

	<u>FY2013 Budget</u>	<u>FY2013 Expended</u>	<u>FY2013 Difference</u>	<u>FY2015 Current Allocation</u>	<u>Comments/Explanation of Changes</u>
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J. Vacancy Savings INSTRUCTIONS

AGENCY					
Salary	349,057.53	382,094.79	(33,037.26)	354,640.91	
Benefits	147,086.82	147,088.42	(1.60)	108,942.98	
Total	496,144.35	529,183.21	(33,038.86)	463,583.89	

RESIDENTIAL					
Salary	-	-	-	-	
Benefits	-	-	-	-	
Total	-	-	-	-	

FUNDING CONSIDERATIONS

	Number of Staff <u>7/1/2012</u>	Number of Staff <u>6/30/2013</u>	Number <u>Terminations</u>	Turnover <u>Rate</u>	<u>Comments/Explanation of Changes</u>
K. Turnover Rate INSTRUCTIONS					
AGENCY	11	11	-	#DIV/0!	
RESIDENTIAL	-	-	-	#DIV/0!	

ADVISORY BOARD MEMBERSHIP FOR CY2014

Instructions: Please provide all of the requested information for each advisory board member who will serve during the grant year. KSA75-5297 and 75-7044 governs the membership, qualifications, appointment, alternative membership, and appointment provisions for cooperating counties for advisory boards. Use an asterisk to identify the advisory board chairperson. In the Race column, please use a term which best describes the member's race (e.g., American Indian or Alaskan Native, Asian or Pacific Islander, Black, Hispanic, White)

APPOINTED BY	REPRESENTING & TERM YEAR	NAME & IDENTIFICATION	PHONE	GENDER	RACE	RECENT APPT. DATE	APPT. EXP. DATE
County Sheriff	Law Enforcement KSA 75-7044.	Ken McGovern or Designee, Michael Brouwer	785 832-5210	Male	W	Feb 2014	Feb 2015
Chief of Police	Law Enforcement KSA 75-7044	Tarik Khatib 4820 Bob Billings Pkw Lawrence 66049	785 830-7400	Male	W	Jan 2014	Jan 2015
District Attorney	Prosecution KSA 75-7044	Charles Branson 111 East 11 Lawrence 66044	785 841-0211	Male	W	Jan 2014	Jan 2015
Chief Judge	Judiciary KSA 75-7044	Peggy Kittel 111 East 11 Lawrence 66044	785 832-5272	Female	W	August 2013	August 2014
Chief Judge	Judiciary KSA 75-7044	Kelly Shoemake 111 East 11 Lawrence 66044	785 832-5218	Female	W	Jan 2012	Jan 2015
County Commission	General:Education Term: 1 KSA 75-7044	Willie Amison 549 Arrowhead Dr. Lawrence 66049	Hm: 785 841-0733	Male	B	Oct 2012	Oct 2014
County Commission	General Term: 1 Pending Appt	Vanessa Sanburn 765 Ash Street Lawrence 66044	785 856-1233	Female	W	Jan 2012	Jan 2014
County Commission	Mental Health KSA 75-7044.	David Johnson 200 Maine Suite A Lawrence 66044	785 843-9192	Male	W	May 2010	May 2014
County Commission	Social Services Term: 1	Christie Stegall 1005 College Blvd Lawrence 66044	785 312-4967	Female	W	Aug 2012	Aug 2014
City Commission	General Term: 1	Robert D. Suderman 614 W 27 Terr Lawrence 66046	785 766-4569	Male	W	May 2013	May 2015
City Commission	General Term 1	Milton Scott, Chair Lawrence Housing Aut 1600 Haskell Ave Lawrence 66044	785 842-8110	Male	B	May 2012	May 2014
City Commission	General Final	Verdell Taylor 3105 W 26 th Street Lawrence 66047	785 843-2429 865-2589	Male	B	May 2012	May 2014
Member At Large	The Shelter, Inc.	Judy Culley P O Box 647 Lawrence 66044	785 843-2085				
County Commission: Nancy Thellman, Chair Mike Gaughan Jim Flory City Commission: Robert Schumm DCCC Outcomes Subcommittee: Robert Suderman, Milton Scott Deborah Ferguson, Zachery Burgoon, KDOC Program Consultant Update: March 2014			Director, Community Corrections: Deborah Ferguson Director, Youth Services: Pam Weigand Board Chair: Milt Scott Board Secretary: Lacy Deathe Telephone: 785/832-5220 January 14, 2014 April 8, 2014 July 8, 2014 October 14, 2014				

Current and New Resources

Services	Enter 'yes', 'no' or 'more needed' if Currently Available	Enter 'yes', 'no' or 'more needed' if New In FY2014	Comments
Agency Supervision Fee			
Child Care Assistance	No		
Clothing (work related or other)	No		
Cognitive Behavioral Interventions		More needed	As of January 2014, Thinking for a Change classes are offered within our agency. In addition, we have partnered with re-entry to facilitate classes in the community for mutual offenders. Offenders still receive cog skills through drug treatment and re-entry services.
Community Service Work	Yes		
Courtesy Transfer Fee			
DNA Cost	Yes		\$20 per offender submission
Drug Confirmation Tests	Yes		\$35 per positive drug charged to offender
Drug Screens	Yes		\$20 per positive screen charged to offender
Educational Services	No		
Electronic Monitoring	No		
Employment Services	Yes		Current collaboration with the Workforce Center allows for offenders to be referred to monthly employment classes and receive help on resume writing.
Food	Yes		Offenders who are in need will be provided food through our Food for Service program.
Housing Assistance	No		
Medication	No		
Mental Health Counseling	No		
Mental Health Evaluations	No		
Mentoring		More Needed	The mentoring program was up/running in FY2014 ; need more female mentors ; person changes have allowed the program to proceed ; a much slower rate as of December 2013.
Sex Offender Evaluations	No		
Sex Offender Treatment	No		
Substance Abuse Counseling		More Needed	Our agency now has a Program Provider that will be facilitating SAP. Due to personnel

			changes this program is a work in progress.
Substance Abuse Evaluations	No		
Transportation Assistance	More Needed		Purchased 100 bus passes during FY13 and request additional funding for FY14
Utilities (heat, electric, phone, water)	NA		Our agency does not pay rent/utilities.
OTHER :			
Offender Appointment Calendars		More Needed	Have not been able to purchase since 12/12/11 where we paid \$209.09 for 150 for Calendar Year 2012.
SCRAMx (alcohol monitoring/EMD)	Yes		\$5.30 per day (EMD and alcohol monitoring) \$6.30 per day wireless
Anger Management	Yes		
Alco-Sensor Breath Test	Yes		\$4.55 per test tube
Incentive Program	More Needed		ISOs recommend an offender that has done well for an incentive , such as gift cards, bicycle, etc

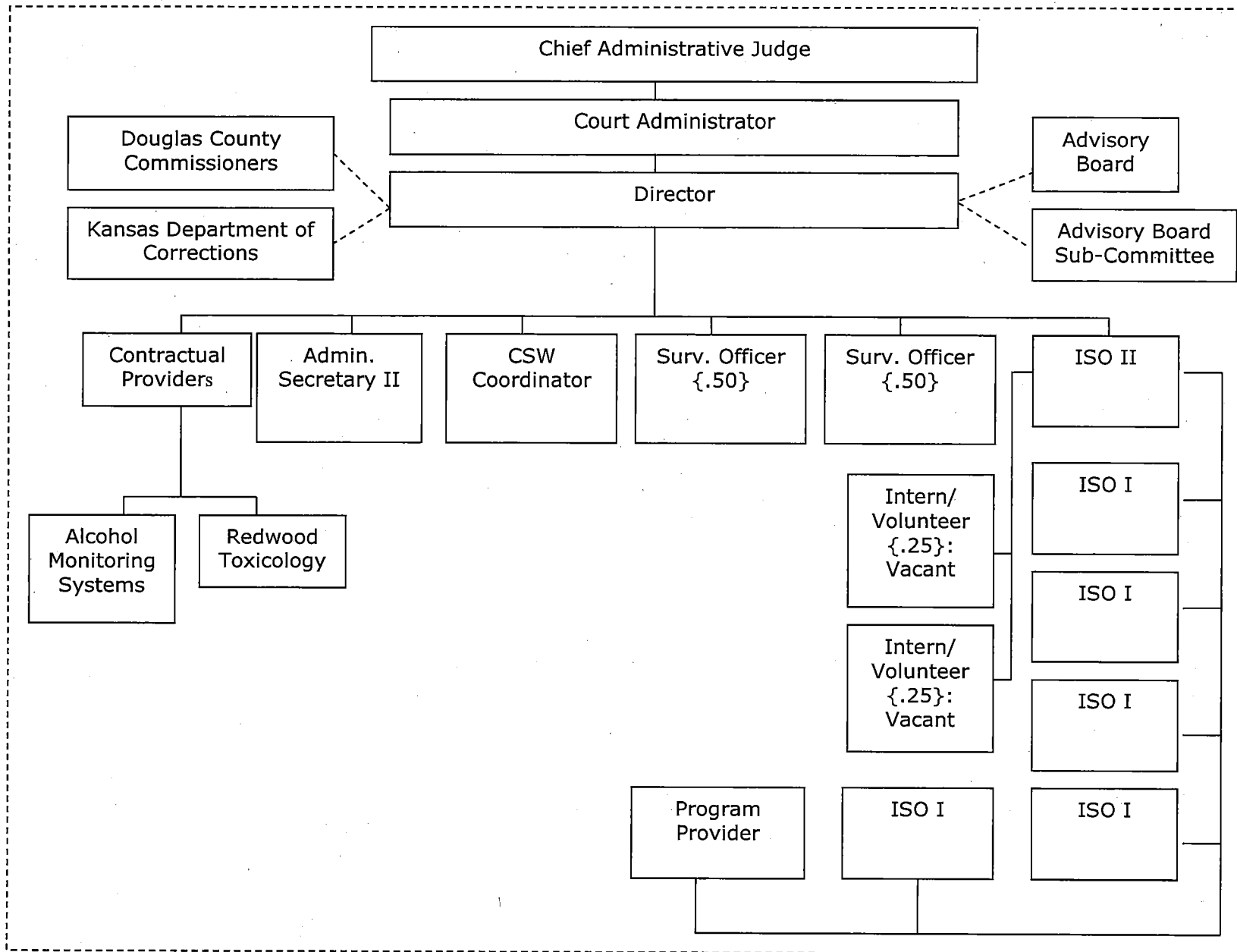
Collaborative Partnerships

Agency Partnerships	Gap: YES	Gap: NO	Comment
Advisory Board		No	We have an open line of communication with this partner and meet quarterly.
County Commission		No	We have an open line of communication with the County Commission and County Administrator and they have been involved with our budget/reports.
Douglas County Sheriff's Office		No	We have an open line of communication with the DG Co Sheriff's and meet with the re-entry case managers twice a month. In addition, we have developed a partnership with re-entry to facilitate the cognitive skills classes.
Douglas County District Court		No	We have an open line of communication with Douglas County District Court. The Judges are open to receiving emails, phone calls, and/or meetings when the need arises. In addition, should they have questions they will consult with the appropriate ISO. The Court Administrator is also active with CC. District Court manager's meetings take place once a month.
District Attorney's Office	Yes		We would like to work toward bridging the communication gap when it comes to the offenders we supervise.
Lawrence Douglas County Housing Authority (LDCHA)		No	We have established a working relationship with the LDCHA. In addition, the administrator is our current chairman of our Advisory Board.
DCCCA	Yes		There have been some communication gaps between the two agencies.
Bert Nash Mental Health Center		No	We closely work with Bert Nash and the case manager's along with those that work at the Douglas County Jail. One of the administrator's at Bert Nash is a member of our Advisory Board.
Lawrence Workforce Center/Heartland Works		No	Prior to the resignation of the ISO II, he routinely worked with the Lawrence

			Workforce Center/Heartland Works in assisting ISOs with employment possibilities for the offenders. The new Program Provider has assisted offenders with employment and works closely with the Lawrence Workforce Center.
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Douglas County Community Corrections
Revised: 1/2014

Attachment: H





DOUGLAS COUNTY ADMINISTRATIVE SERVICES

Douglas County Courthouse
1100 Massachusetts Street, Unit 204
Lawrence, KS 66044-3064
(785) 832-5329 Fax (785) 832-5320
www.douglas-county.com

Sarah Plinsky
Assistant County Administrator

MEMORANDUM

MEMO TO: Board of County Commissioners

FROM: Sarah Plinsky, Assistant County Administrator

SUBJECT: Health Insurance Stop Loss Coverage

DATE: April 11, 2014

Proposals for Health Insurance Stop Loss Coverage were received on March 20, 2014. Each year, requests for proposals for reinsurance coverage are solicited from various companies. Last year we received quotes from three companies. Last year, Douglas County switched from Humana to Optum, after we were informed that Humana was no longer going to provide Stop Loss coverage was selling the business line. Because of the switch last year and the year before, staff preferred to stay with Optum, provided that the proposal was favorable.

	Optum CURRENT Year	Optum Renewal
Specific Stop Loss Level	\$175,000	\$175,000
Aggregating specific	\$50,000	\$50,000
Total Annual Premium	\$348,467.76	\$426,227.40
Difference from current		\$70,777.08
Percentage difference	-3.0%	19.09%
Total Annual Expected Costs	\$7,328,544.78	\$7,522,578.62
Dollar Cost difference over current		\$194,033.84
Percent of cost difference		2.6%

We are recommending that the stop loss specific remain at \$175,000, with a continued \$50,000 aggregate specific. The renewal proposal doesn't have any "lasers" on any current claims. An increase was anticipated this year because of the advantageous pricing received last year when the County switched to Optum. The chart above illustrates that the increase is partially related to the increase in the total annual expected costs, and the remaining increase is below market increases for this coverage. Willis discussed this coverage with other providers, and the next closest bid was an overall increase of 43% with a total premium of \$498,000.

Stop Loss provides coverage to us in two ways. The first is the specific stop loss level of \$175,000, which means that if a single claim exceeds \$175,000, the County no longer pays on the claim and the stop loss coverage takes over. The second coverage provided by stop loss is if our total claims exceed 125% of expected. If our total claims exceed that amount, the stop loss coverage kicks in and pays all claims.

In summary, staff recommends that we accept the renewal proposal from Optum for our stop loss health insurance coverage.

RECOMMENDED MOTION

Accept the renewal proposal from Optum for Stop Loss Health Insurance Coverage in an amount not to exceed \$426,227.40.

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS ADOPTING TEXT AMENDMENTS TO THE ZONING REGULATIONS FOR THE UNINCORPORATED TERRITORY OF DOUGLAS COUNTY, KANSAS, PERTAINING TO REVISIONS TO THE AGRITOURISM REGULATIONS.

WHEREAS, the Lawrence-Douglas County Planning Commission, after holding a public hearing on February 26, 2014, following due and lawful notice pursuant to K.S.A. 12-757 and the *Zoning Regulations for the Unincorporated Territory of Douglas County, Kansas*, as codified in Chapter 12, Article 3 of the Douglas County Code and as amended (the "Zoning Regulations"), has recommended that the Board of County Commissioners of Douglas County, Kansas (the "Board") make text amendments to the Zoning Regulations, the nature and description of such change being fully set forth below; and

WHEREAS, on April 2, 2014, the Board found that the Zoning Regulations regarding Agritourism should be amended by adopting the text amendment set forth below.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS AS FOLLOWS:

I. Adoption of Text Amendments. The Board hereby finds that the statutory provisions for the amendment of the Zoning Regulations has been fully complied with and hereby adopts the following text amendments (the "Text Amendments") amending the Zoning Regulations as follows:

A. Amending section 12-319-7 AGRITOURISM SUPPLEMENTAL REGULATIONS in section 12-319 SUPPLEMENTAL USE REGULATIONS- CONDITIONAL USES – TEMPORARY USES, as follows:

12-319-7. AGRITOURISM SUPPLEMENTAL REGULATIONS

Agritourism is recognized as a vital tool for sustaining the family farm and represents significant economic potential for the community in general. These regulations are intended to foster and promote agritourism in keeping with the State of Kansas policy of encouraging agritourism, while ensuring that the public health, safety, and welfare are protected.

12-319-7.01. AGRITOURISM

- a. Agritourism is the intersection of agriculture and tourism, when the public visits rural areas for recreation, education, enjoyment, entertainment, adventure or relaxation. Agritourism uses the rural experience as a tool for economic development.
- b. Typical agritourism uses include, but are not limited to, the following:
 - 1) Farm markets/roadside stands,
 - 2) U-pick operations,
 - 3) Farm winery tours and tastings,
 - 4) Corn mazes,
 - 5) Farm-related interpretive facilities, exhibits, and tours,
 - 6) Historical, cultural, or agriculturally related educational and learning experiences, including volunteer workers.
 - 7) Farm stays,
 - 8) Bed and breakfast establishments,
 - 9) Recreation related operations (fishing, hunting, bird watching, hiking, etc),
 - 10) Horseback riding,
 - 11) Garden, nursery tours and exhibits,

- 12) Pumpkin patch visits and activities,
 - 13) Assembly type uses such as fairs or festivals which are historical, cultural, or agriculturally related; weddings; receptions; etc.,
 - 14) Ancillary retail sales,
 - 15) Other uses that may be determined on a case by case basis if it meets the purpose and intent of the regulations.
- c. These Agritourism provisions do not apply to camping.

12-319-7.02. REGISTRATION AND APPROVAL PROCESS

- a. After the use has been registered with the State, a copy of the Agritourism Promotion Act Registration Form shall be provided to the Douglas County Zoning and Codes Office to register the Agritourism use with the County. Agritourism uses which meet the definition set forth in these Regulations and are registered with the State and with the County may occur as permitted in Section 12-319-7 without any additional review under Section 12-319, Conditional Use Permits; Section 12-319A, Site Plan Regulations; or Section 319.8 , Special Event Permits, although other State and local regulations shall apply.
- b. Sections 12-319-7.03 and 12-319-7.08 establish the parameters for Tier 1 (low intensity), and Tier 2 (medium intensity) Agritourism uses.
- 1) Tier 1 (low intensity) Agritourism uses may be registered administratively by the Zoning and Codes Director.
 - 2) Registration of Tier 2 (medium intensity) Agritourism uses requires approval by the Board of County Commissioners.
 - 3) Agritourism uses which do not meet the definition or parameters of a Tier 1 or Tier 2 use require approval through a Conditional Use Permit, Special Event permit, or rezoning.
- c. Registration forms shall be jointly reviewed by the Director of Zoning and Codes Office and the Planning Director to determine if the proposed use(s) meet the definition of Agritourism set forth in these Regulations within 7 working days of submittal.
- 1) Additional descriptive information may be necessary for the determination. This information will be provided by the Agritourism operator and kept as a part of the registration.
 - 2) If the Directors are unable to make a determination, the registration will be referred to the Board of County Commissioners.
 - 3) The applicant for the Agritourism registration may file an appeal from the Director's determination. Appeals from the determination shall be made to the Board of County Commissioners. An appeal must be filed within 30 days of notification of the determination to the applicant. The appeal will be considered at the next available Commission meeting.

12-319-7.03. TIER 1 (LOW INTENSITY) AGRITOURISM USES DEFINED

- a. Tier 1, or low intensity Agritourism uses are not expected to generate noise, or other impacts, to the level that they would have negative impacts on surrounding properties. Examples of Tier 1 Agritourism uses include, but are not limited to:
- 1) Farm Stands,
 - 2) Farmers Markets with 10 or fewer vendors,
 - 3) U-Pick Operations,
 - 4) Farm Winery Tours and Tastings,
 - 5) Corn Mazes and Pumpkin Patches visits and activities,
 - 6) Farm Related Interpretative Facilities, Exhibits, and Tours,
 - 7) Historical, Cultural, or Agriculturally Related Educational and Learning Experiences, including volunteer workers,
 - 8) Farm Stays and Bed and Breakfasts with no more than 3 guestrooms,

- 9) Recreation Related Operations (Fishing, Hunting, Bird Watching, Hiking, etc.),
 - 10) Equestrian Facilities,
 - 11) Garden, Nursery Tours and Exhibits,
 - 12) Small scale assembly type uses such as weddings, receptions, etc.,
 - 13) Christmas Tree Sales,
 - 14) Farm Tours and Demonstrations,
 - 15) Small scale entertainment such as the integration of music, theatre, or arts to enhance the rural experience,
 - 16) Ancillary Retail Sales; and,
 - 17) Other uses that may be determined on a case-by-case basis to meet the intent of the Tier 1 definition.
- b.** In addition to meeting the definition above, a proposed use must meet both of the following parameters to be considered a Tier 1 Agritourism use:
- 1) The Agritourism use is located on a parcel, or one of a number of contiguous parcels (contiguous shall mean lands that are adjacent and road, rail, and other rights-of-way and easements shall not exclude parcels from being contiguous), under the same ownership, as agricultural land uses listed in 12-306-2.01 or a working farm or ranch as determined by the Zoning and Codes Director;
 - 2) The Agritourism operator resides on the parcel, or one of a number of contiguous parcels (as defined in this section), containing the Agritourism use;

12-319-7.04. TIER 1 AGRITOURISM USES STANDARDS

The following standards apply to all Tier 1 Agritourism uses:

- a.** The operators of the Agritourism use shall be limited to the property owner or operator, his/her family members and employees (whether paid or unpaid).
 - 1) 'Operator' refers to the person with the financial and legal responsibility for the Agritourism activity.
- b.** Adequate parking shall be provided on-site for the use, including ADA parking (where applicable).
 - 1) Parking for the Agritourism use is limited to 40 parking spaces;
 - 2) No parking may occur on adjacent roads.
- c.** In order to minimize noise from the agritourism use the following are prohibited:
 - 1) Motors or motorized vehicles, with the exception of agricultural machinery and vehicles or electric motors;
 - 2) Outdoor amplification of sound: such as auctioneering speakers or amplified music (with the exception of a stereo or radio).
- d.** Landscaping or opaque fencing shall be provided along the perimeter of parking areas (excluding overflow areas) that are within view of residences or the road right of way. Landscaping shall consist of one of the following: a continuous hedge of shrubs or other vegetation or opaque fencing, of a height determined by the Zoning and Codes Director to provide adequate screening for the parking area. Alternate forms of screening may be utilized, provided the Director of Zoning and Codes determines they will provide effective screening of the parking area.
- e.** Exterior lighting used in conjunction with the Agritourism use shall be prohibited with the exception of the Farm Stays and Bed and Breakfast uses. Lighting for these uses shall be located and shielded to prevent glare or trespass on to adjacent properties.
- f.** Sanitary facilities shall be provided in accordance with Lawrence Douglas County Health Department requirements for the use and expected attendance.

12-319-7.05. ADMINISTRATIVE WAIVER PROVISION

The Director of Zoning & Codes may waive these standards only if it can be demonstrated that the Agritourism use, by virtue of the size or type of use proposed, the location of the use, or

other site specific characteristics, will not generate noise or other impacts that negatively impact surrounding properties.

12-319-7.06. TIER 1 AGRITOURISM REGISTRATION PROCESS

The following standards apply to all Tier 1 Agritourism uses:

- a. The Agritourism operator shall submit the following materials to the Zoning and Codes Office:
 - 1) Approved State Agritourism Registration.
 - 2) Completed Douglas County Agritourism Registration form.
 - 3) Site plan
The agritourism site plan does not need to meet all the requirements in Section 12-319A, but must be adequate to illustrate the use and its conformance with the Zoning Regulations as well as the relationship of the use to the surrounding properties or right-of-way. At a minimum, the following items must be included:
 - a) All structures to be utilized for the agritourism use identified on the plan with dimensions, including the distance to the nearest property line.
 - b) Areas where the agritourism use will occur and any areas where visitors would be allowed marked on the plan.
 - c) Access and parking areas shown and dimensioned, noting the number of spaces provided. For determination of parking requirements, parking is calculated at a rate of 1 parking space per 2 attendees.
 - d) The water and sanitation facilities provided per the County Health Department approval.
 - e) Hours of operation noted.
 - f) Anticipated attendance noted. Attendance is limited to that which can be served by available parking as participants may arrive by bus or alternative forms of transportation.
- b. A 20 day property owner notification period is required.
 - 1) The applicant shall obtain a list of property owners within 1000 ft of the property on which the Agritourism activity is to occur from the Douglas County Clerk's Office. If the notification area includes land within the corporate limits of a city, the list shall include owners of property within the 1000 ft notification area that extend 200 feet into the city. If the notification area extends into the adjacent County, notice must be sent to property owners in the adjacent County.
 - 2) The applicant shall mail a letter which contains the information below to the property owners on the list to advise them of the proposed Agritourism use and provide them the opportunity to contact the applicant or the Zoning and Codes Department if they have any questions.

"An Agritourism use located at _____ is in the process of being registered with Douglas County. The Agritourism use will consist of (brief description of the event). Please contact me at (phone number, email) with any questions regarding this registration or the Douglas County Zoning and Codes Department at 785-331-1343."
 - 3) The registrant must provide a copy of the letter, the property owner list, and certification of the date the letters were mailed to the address on the list with their registration materials.
- c. The registration materials shall be reviewed by the Director of Zoning and Codes with the following approval criteria:
 - 1) The proposed use and layout meets the intent and purpose of the Tier 1 definition;
 - 2) The proposed arrangement of buildings, off-street parking, access, lighting is compatible with adjacent land uses;

- 3) Adequate screening is provided between the parking area and adjacent residences or road rights-of-way.
 - 4) The vehicular ingress and egress to and from the site provides for safe, efficient and convenient movement of traffic;
 - 5) The nature of the use is compatible with adjacent land uses and enhances or maintains the rural character of the unincorporated portion of the county.
- d. The Zoning and Codes Director may apply conditions to the registration, such as limitation on the hours, location, or the activity itself if, in the Director's opinion, the conditions are necessary to mitigate off-site impacts.

12-319-7.07. DURATION AND RE-REGISTRATION

The Douglas County Agritourism use registration coincides with the State Registration. Re-registration with the County is required when the State registration is renewed, every 5 years.

- a. The Agritourism Use may continue as long as the use complies with the conditions and standards that were applied with the registration.
- b. Only those activities specifically listed in the registration form and approved by the Directors are allowed to occur as Agritourism. Any change in proposed uses such as a new activity, increased parking, or expanded area of activity would require:
 - 1) The modification of the registration with the State, if necessary.
 - 2) Resubmittal of the revised registration form and revised site plan to the Zoning and Codes Office for a determination of compliance with the definition of Agritourism (if a new use is proposed) and re-registration through the processes established in this section.

12-319-7.08. TIER 2 (MEDIUM INTENSITY) AGRITOURISM USES- DEFINED

- a. Tier 2 uses include higher intensity activities or have higher attendance than Tier 1 uses. Examples of Tier 2 Agritourism uses include, but are not limited to:
 - 1) Uses that would be considered a Tier 1 use that do not meet the Tier 1 parameters;
 - 2) Farmers Markets with more than 10 vendors;
 - 3) Bed and Breakfasts or Farm Stays with more than 3 guest rooms;
 - 4) Assembly type uses such as fairs or festivals which are historical, cultural, or agriculturally related.

12-319-7.09. TIER 2 AGRITOURISM USE STANDARDS

The following use standards apply to all Tier 2 Agritourism uses:

- a. Operators of the Agritourism activity shall be limited to the property owner or operator, his/her family members and employees (paid or unpaid).
 - 1) 'Operator' refers to the person with the financial and legal responsibility for the Agritourism activity.
- b. Adequate parking, including ADA parking (when applicable), must be provided on-site.
 - 1) Parking for the Agritourism use is limited to 100 parking spaces.
 - 2) No parking may occur on adjacent roads.
 - 3) For the purpose of calculating parking requirements, Parking is calculated at a rate of 1 parking space per 2 attendees unless visitors are expected to utilize busses or alternative forms of transportation.
- g. No motors or motorized vehicles, with the exception of agricultural machinery and vehicles or electric motors, will be utilized for the Agritourism Use.
- h. Landscaping or opaque fencing shall be provided along the perimeter of parking areas (excluding overflow areas) that are within view of residences or the road right of way. Landscaping shall consist of one of the following: a continuous hedge of shrubs or other vegetation or opaque fencing, of a height determined by the Zoning and Codes Director to provide adequate screening for the parking area. Alternate forms of screening may be utilized, provided the Director of Zoning and Codes determines they will provide effective screening of the parking area.

- i. If Agritourism activities are to occur outside of daylight hours, a plan shall be provided which shows the location of lighting for the Agritourism activity and the type of lighting fixtures being used as well as means taken to shield the lighting to insure no trespass or glare to adjacent properties.
- j. Sanitary facilities shall be provided in accordance with Lawrence Douglas County Health Department requirements for the proposed use and anticipated attendance.
- k. With the exception of agricultural activities, no activities associated with the Agritourism use may occur within 50 ft of a property line of the subject parcel or the perimeter of a group of contiguous parcels. The County Commission may vary this separation requirement depending on the nature of the Agritourism activity and the adjacent property.

12-319-7.10. TIER 2 ADMINISTRATIVE APPROVALS AND WAIVERS

- a. The Director of Zoning and Codes may administratively approve a Tier 2 Agritourism Use without further review by the County Commission, if all of the following apply:
 - 1) The Agritourism use permitted as a Type 1 use in Section 12-309-7.03.a;
 - 2) The Agritourism use meets all the parameters for a Tier 1 use in Section 12-309-7.03.b except for parameter 12-309-7.03.b.(2), which requires the operator of the Agritourism use to reside on the parcel; and
 - 3) The Agritourism use meets all the Tier 1 use standards in Section 12-309-7.04.
- b. The Board of County Commissioners may waive the Tier 2 use standards if they determine that the Agritourism use, by virtue of the size or type of use proposed, the location of the use, other site specific characteristics, will not significantly impact surrounding properties.

12-319-7.11. TIER 2 AGRITOURISM USES REGISTRATION PROCESS

- a. The Agritourism operator shall submit the following materials to the Zoning and Codes Office:
 - 1) Approved State Agritourism Registration.
 - 2) Completed Douglas County Agritourism Registration form.
 - 3) Site plan meeting the requirements outlined in Section 12-319-7.06.a.3).
 - 4) Information from the applicable fire department regarding access to the proposed Agritourism Activity area.
- b. A minimum 20 day notification period is required. The Commission will hold a public hearing on the proposed use at the time and place listed in the public notice.
 - 1) The County Zoning and Codes Office shall mail notice to all property owners within 1000 ft of the proposed use and the date and time the use will be considered by the Board of County Commissioners.
 - 2) If the notification area includes land within the corporate limits of a city, the list shall include owners of property within the 1000 ft notification area that extend 200 feet into the city. If the notification area extends into the adjacent County, notice must be sent to property owners in the adjacent County.
 - 3) For Agritourism uses that will be located on an unpaved road, the Zoning and Codes Office shall mail notice to all property owners of residentially developed property on an unpaved road which would be considered the most direct route to the nearest hard-surfaced road..
- c. The Director of Zoning and Codes shall review the registration application with the criteria noted in this section and provide a report with recommendation to the Commission.
 - 1) The proposed arrangement of buildings, off-street parking, access, lighting is compatible with adjacent land uses;
 - 2) Adequate screening is provided between the parking area and adjacent residences or road rights-of-way.
 - 3) The vehicular ingress and egress to and from the site provides for safe, efficient and convenient movement of traffic including emergency vehicles;

- 4) The nature of the use is compatible with adjacent land uses and enhances or maintains the rural character of the unincorporated portion of the county.
 - 5) Suitability of the existing road network system for the traffic expected to be generated by the Agritourism use. Road improvements may be required in some cases.
- d.** The Board of County Commissioners may take one of the following actions on the registration:
- 1) Approve the registration, including waiving any standard deemed reasonable to waive;
 - 2) Approve the registration with conditions/restrictions such as limitation on the size of buildings and parking areas, establishment of operating hours; establishment of buffering, limitation on activities; road improvements; etc;
 - 3) Return the registration to staff with request for more information; or
 - 4) Deny the registration.

12-319-7.12. DURATION AND REVIEW

The Douglas County Agritourism Use registration coincides with the State Registration. Re-registration with the County is required when the State registration is renewed, every 5 years.

- a.** The Agritourism Use may continue as long as the use complies with the conditions and standards that were applied with the registration.
- b.** A Tier 2 use that received County Commission approval may be re-registered administratively by the Zoning and Codes Director if the use remains the same as on the original registration and no unresolved complaints are on file.
- c.** Only those activities specifically listed in the registration form and approved by the Directors are allowed to occur as Agritourism. Any change in proposed uses such as a new activity, increased parking, expanded area of activity would require:
 - 1) The modification of the registration with the State, if necessary.
 - 2) Resubmittal of the revised registration form and revised site plan to the Zoning and Codes Office for a determination of compliance with the definition of Agritourism provided in this Section by the Director of the Zoning and Codes Office and the Planning Director and re-registration through the processes established above.
- d)** Minor changes to the plan (changes that do not include an additional use or an increase in agritourism activity or parking area above 25% of the previous activity or parking area) may be approved administratively by the Zoning and Codes Director following notification of neighbors within 1000 ft.
- e.** Engaging in any activity not listed on the registration or operating out of compliance with the plans and conditions approved with the registration would be considered a violation subject to the enforcement provisions of Section 12-329.

12-319-7.13. STRUCTURES AND CONSTRUCTION CODES

Structures for Agritourism uses are required to comply with Douglas County Construction Codes, adopted by HR-12-11-5, and amendments thereto.

II. Addition to Zoning Regulations. The Text Amendments made by this Resolution shall be included as a supplement to the Zoning Regulations, as codified in Chapter 12, Article 3 of the Douglas County Code.

III. Invalidity. If any section, clause, sentence, or phrase of Resolution or the Text Amendments adopted hereby is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this Resolution or the Text Amendments adopted hereby, as the case may be.

IV. Repeal. The Zoning Regulations heretofore adopted that are in conflict with the Text Amendments are amended, repealed or replaced, as the case may be, to be consistent with the Text Amendments adopted hereby.

V. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Board and its publication once in the official County newspaper.

ADOPTED this _____ day of _____, 2014.

BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS

Nancy Thellman, Chairman

ATTEST:

Jim Flory, Member

Jameson D. Shew, County Clerk

Mike Gaughan, Member



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Oklahoma Field Office
7906 E. 33rd Street, Suite 101
Tulsa, Oklahoma 74145
www.blm.gov/nm

Copyed Note



In Reply Refer To:
1610

March 14, 2014

Douglas County
Office of the County Commissioner
1100 Massachusetts
Lawrence, KS 66044

Dear Sir or Madam,

The Bureau of Land Management (BLM), Oklahoma Field Office, in conjunction with the Bureau of Indian Affairs (BIA) Eastern Oklahoma and Southern Plains Regional Offices, has begun an Environmental Impact Statement (EIS) project to analyze lands and minerals under the jurisdiction of both agencies in Kansas, Oklahoma, and Texas. The BLM portion of the EIS will result in the revision of the 3 current Resource Management Plans within the Oklahoma Field Office's jurisdiction.

In the spirit of government to government consultation and cooperation, Oklahoma Field Office (OFO), working as project lead, is inviting the Douglas County Commissioners to become a Cooperating Agency for the duration of the RMP/EIS process. The Council on Environmental Quality's regulations implementing the National Environmental Policy Act (NEPA) allow federal agencies (as lead agencies) to invite tribal, state, and local governments, as well as other federal agencies, to serve as Cooperating Agencies in the preparation of environmental impact statements. Cooperating Agency status provides the opportunity for us to work together and to enhance the BLM's planning efforts.

Local and tribal governments, other agencies, and the public have participation opportunities such as attending public meetings, and reviewing and commenting on plan documents. Being a Cooperating Agency provides the opportunity for interested agencies to take on additional roles and responsibilities beyond basic participation opportunities. Cooperating Agencies do have obligations to contribute staff to the RMP/EIS team, assist with analysis for which they have particular expertise, and fund their own participation.

In general, you will be expected to provide a person to attend meetings to accomplish the tasks, as well as to accommodate other time involvement. I anticipate about six Cooperating Agency meetings over the first twelve to fifteen months of the planning process, with an additional three to four meetings over the following year. There will also be a time requirement to review documents.

To help you in your decision to accept or deny this invitation, please consult sections V, VI, and VII of the enclosed draft Memorandum of Understanding (MOU), as well as specific information about Cooperating Agency relationships at the following website:
http://www.blm.gov/wo/st/en/info/nepa/cooperating_agencies.html.

If you choose to become a Cooperating Agency, you will work closely with BLM and other agencies throughout the RMP/EIS process. While Cooperating Agency status does not eliminate your rights to protest or appeal the EIS Record of Decision, my expectation is that you would have had sufficient opportunity to work with BLM and others so that a protest or appeal would not be necessary.

If the Douglas County Commissioners is interested in becoming a Cooperating Agency please notify Laurence Levesque, of my staff, by April 14, 2014 at (918) 621-4136 or llevesqu@blm.gov. We will need to sign a MOU that describes the roles and responsibilities of the BLM and the Douglas County Commissioners. Enclosed is a sample MOU (draft) that has been developed for the planning process. Laurence Levesque, the Project Lead, will need a point of contact to finalize the MOU and the name of the person who will represent the Douglas County Commissioners for the planning process.

We request that agencies declining to accept Cooperating Agency status also respond to this invitation. Should you choose not to become a Cooperating Agency, be assured that we will still provide the Douglas County Commissioners with ample opportunity to participate in the planning process.

If you have questions regarding cooperating agency status or want more information concerning opportunities available for your agency to participate in the land use planning process, do not hesitate to call Laurence Levesque, the Project Lead, at (918) 621-4136.

Thank you for your interest in the planning process and administration of your public lands. We look forward to working with the Douglas County Commissioners as we proceed with this land use planning effort.

Sincerely,



Stephen G. Tryon
Field Office Manager

Enclosure
1 – Draft MOU

MEMORANDUM OF UNDERSTANDING
BETWEEN THE
DOUGLAS COUNTY COMMISSIONERS
AND THE
BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE
AND THE
BUREAU OF INDIAN AFFAIRS
EASTERN OKLAHOMA REGIONAL OFFICE
SOUTHERN PLAINS REGIONAL OFFICE

I. INTRODUCTION

The Bureau of Land Management (BLM), Oklahoma Field Office, in conjunction with the Bureau of Indian Affairs Eastern Oklahoma and Southern Plains Regional Offices, has begun an Environmental Impact Statement (EIS) project to analyze lands and minerals under the jurisdiction of both agencies in Kansas, Oklahoma, and Texas. The BLM portion of the EIS will result in the revision of the three (3) current Resource Management Plans within the Oklahoma Field Office's jurisdiction into one (1) Resource Management Plan (RMP).

The Douglas County Commissioners is eligible to serve as a Cooperating Agency for the duration of the EIS/RMP process. Cooperating Agency status provides an opportunity for the BLM, BIA, AGENCY NAME, and other Cooperating Agencies & Entities to work together to enhance BLM's and BIA's planning efforts.

This Memorandum of Understanding (MOU) sets forth roles and responsibilities for the Cooperating Agencies as agreed upon between the Douglas County Commissioners and the BLM Oklahoma Field Office (OFO), BIA Eastern Oklahoma and BIA Southern Plains Regional Offices for the purpose of collaborative planning and production of the EIS and BLM RMP.

II. PURPOSE

In carrying forth the responsibilities and mandates under the National Environmental Policy Act and Council on Environmental Quality regulations at 40 Code of Federal Regulations (CFR), Part 1500 and the Federal Land Policy and Management Act (as amended) CFR Part 1600, the BLM and BIA recognize a compelling need to ensure that the interest of Douglas County Commissioners are accounted for, and that they are meaningfully engaged in the above stated planning effort and associated EIS.

As such, the BLM and BIA have agreed to grant Cooperating Agency status to Douglas County Commissioners pursuant to 40 CFR 1501.6, 1501.2, and 1501.8. Under the regulations, the BLM and BIA recognize that Douglas County Commissioners has special expertise as it relates to various aspects of the planning effort described above.

III. AGENCY DESIGNATIONS

Appendix A specifies Agency Representatives. Each participating entity designates one primary representative to attend meetings and to act as a point of contact to ensure coordination and exchange of information between Douglas County Commissioners and BLM and BIA during the planning process. An entity may change its representative at any time by providing written notice to the other parties. Cooperating Agencies may also involve "in-house" specialists in discussions, when a specific topic warrants such expertise.

IV. AUTHORITIES FOR AGREEMENT

Authority for the BLM, BIA, and Douglas County Commissioners to participate in this agreement is provided through Council on Environmental Quality (CEQ) regulations implementing the National Environmental Policy Act, 42 USC 4321 et seq., including 40 CFR 1501.6-Roles of lead and cooperating agencies, 1508.5, Defining eligibility, and 1508.26, Special expertise.

Additional authority is provided in BLM CFR 1601.0-5, Defining eligibility and 1610.3-1, Inviting participation.

V. ROLES AND RESPONSIBILITIES

A. RESPONSIBILITIES OF THE BUREAU OF LAND MANAGEMENT, OFO; BIA EASTERN OKLAHOMA REGIONAL OFFICE; AND BIA SOUTHERN PLAINS REGIONAL OFFICE

The BLM and BIA is responsible for the following:

- i. To prepare and ensure the content and quality of the Draft BLM RMP/ Draft EIS, the Proposed BLM RMP/ Final EIS, and the three (3) Records of Decisions/Approved BLM RMP.
- ii. To provide Douglas County Commissioners with meaningful opportunities for participation, including involvement in:
 - a. Identifying issues and concerns of relevance to the planning effort,
 - b. Identifying or providing data that is suitable, available, and relevant to the planning effort,
 - c. Reviewing and commenting on draft sections of the EIS for which the Douglas County Commissioners provided input due to its special expertise.
- iii. To consider and incorporate information and comments provided by Douglas County Commissioners into EIS documents to the extent possible and where appropriate.
- iv. To make all final determinations regarding the content of the EIS document.

B. RESPONSIBILITIES OF THE DOUGLAS COUNTY COMMISSIONERS

The Douglas County Commissioners has special expertise in a number of areas related to planning, and as such, is responsible for the following:

- i. Along with other Cooperating Agencies, to participate in the planning process to the fullest extent possible.
- ii. To assist the BLM and BIA with identification of issues and concerns to be addressed through the planning effort.
- iii. To provide data to potential relevance and value to the EIS/RMP revision effort. This data may include but is not limited to the following:
 - a. Approved Douglas County Commissioners programs, plans, and policies potentially affected by the EIS/RMP,
 - b. Information regarding planning area resources and current and proposed uses and management actions,
 - c. Environmental analyses on issues for which the Douglas County Commissioners has special expertise,
 - d. Socio-economic data such as demographics, activities, and values.
- iv. To review and provide comments during specified review periods on preliminary baseline and other technical reports for which the Douglas County Commissioners had contributed data or other pertinent information.
- v. To review and provide comments during specified review periods concerning the following sections for the preliminary Draft EIS:
 - a. Preliminary range of alternatives to be considered in detail,
 - b. Relevant portions of the "Affected Environment" section (including the socio-economic portion),
 - c. Relevant portions of the "Environmental Consequences" section,
 - d. Relevant portions of the "Consultation and Coordination" section, including information on consistency reviews.
- vi. During public review periods for the Draft EIS, to provide the BLM and BIA with a consolidated comprehensive review of the Draft EIS.
- vii. To assist the BLM with analyzing and reviewing public comments and data, and with the development of the Proposed BLM RMP/Final BLM & BIA EIS.

VI. FUNDING

Each entity agrees to fund its own expenses associated with this planning process.

VII. JOINT RESPONSIBILITIES

The parties agree to use their best efforts to meet the timeframes established in the agreement to work cooperatively, and to resolve differences as quickly as possible.

VIII. IMPLEMENTATION, AMENDMENT, AND TERMINATION

This agreement becomes effective upon signature by all parties, and may be subsequently amended through written agreement of all signatories. The parties agree to jointly develop a framework of information exchange and feedback within 60 days of the signing of this agreement.

The Douglas County Commissioners, the BLM, or the BIA may terminate this agreement by providing written notice of termination to the other parties. If not terminated sooner, this agreement will end when the Notice of Availability for the Final EIS is published by the Federal Register.

Nothing in this agreement will abridge or amend the authorities and responsibilities of the Douglas County Commissioners, BLM, or BIA or any other party on any matter under their respective jurisdictions.

Nothing in this agreement may be construed to require either Douglas County Commissioner, BLM or BIA or obligate or pay funds or in any other way take action in violation of the Anti-Deficiency Act (31 USC 1341) or any State or County law or ordinance.

IX. SOVEREIGN IMMUNITY

None of the signatories waive their sovereign immunity by entering into this Memorandum of Understanding. Each fully retains all immunities and defenses provided by law with respect to any actions based on or occurring as a result of this agreement.

X. SIGNATURES

The parties hereto have executed this Memorandum of Understanding as of the dates shown below.

BUREAU OF LAND MANAGEMENT

Stephen G. Tryon, Field Manager
Oklahoma Field Office

Date

BUREAU OF INDIAN AFFAIRS

Eastern Oklahoma Regional Office

Date

BUREAU OF INDIAN AFFAIRS

Southern Plains Regional Office

Date

DOUGLAS COUNTY COMMISSIONERS

Date

APPENDIX A – AGENCY REPRESENTATIVE

REPRESENTING: DOUGLAS COUNTY COMMISSIONERS

REPRESENTING: BUREAU OF LAND MANAGEMENT
OKLAHOMA FIELD OFFICE

Laurence Levesque
Planning and Environmental Specialist
Oklahoma Field Office
7906 E. 33rd St., Suite 101
Tulsa, OK 74467
Phone: (918)621-4136
Email: llevessu@blm.gov

REPRESENTING: BUREAU OF INDIAN AFFAIRS
EASTERN OKLAHOMA REGIONAL OFFICE

Jonna Polk
Environmental Protection Specialist
BIA- Eastern Oklahoma Regional Office
3100 W Peak Blvd
Muskogee, OK 74401
Phone: (918)781-4667
Email: jonna.polk@bia.gov

REPRESENTING: BUREAU OF INDIAN AFFAIRS
SOUTHERN PLAINS REGIONAL OFFICE

David Anderson
Physical Scientist
BIA- Southern Plains Regional Office
Hwy, 281
Anadarko, OK 73005
Phone: (405)247-9707
Email: david.anderson@bia.gov



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

MEMORANDUM

TO : Douglas County Commission

FROM : Keith A. Browning, P.E., Director of Public Works/County Engineer
Michael D. Kelly, P.S., County Surveyor

DATE : April 11, 2014

RE : Project No. 2012-14; County Route 458; Acquisition of Easement;
Consent agenda

As you are aware Douglas County plans to improve County Route 458, from the intersection of US 59 Highway west a distance of approximately 2.5 miles, by adding 6.5 ft. shoulders as well as pavement rehabilitation.

Negotiations with landowners (for easement) are complete and agreements have been concluded for the remaining three of the ten parcels. The total amount for the attached contracts is \$19,425.00 and the funds for this project are coming primarily from the CIP with some assistance from a federal grant.

To ensure the proper completion of a necessary construction project approval is recommended for the attached CONTRACT's FOR HIGHWAY PURPOSES.

ACTION REQUIRED: Consent agenda approval to authorize the Chair to affix her signature to the CONTRACT's FOR HIGHWAY PURPOSES for Project No. 2012-14.



DOUGLAS COUNTY COMMISSIONERS

Douglas County Courthouse
1100 Massachusetts Street, Unit 203
Lawrence, KS 66044-3064
(785) 832-5268 Fax (785) 832-5148
www.douglas-county.com

April 16, 2014

KDHE - Division of Health Care Finance
Attn: Christi Waugh, Contract Manager
900 SW Jackson, 9th Floor
Landon Building
Topeka, KS 66612-1220

Dear Ms. Waugh:

The Douglas County Commissioners wish to participate in the Outreach, Prevention and Early Intervention Services program and understand that a match is required. The source for matching dollars will be from local taxes which will be sent to the Lawrence-Douglas County Health Department and there are adequate tax funds to provide the \$225,000 match.

Sincerely,

Nancy Thellman, Chairman
Board of County Commissioners
Douglas County, Kansas

March 12, 2014

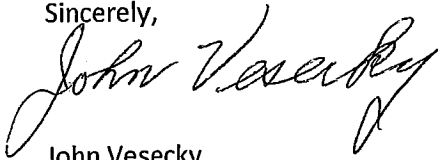
Mr. Craig Weinaug
Douglas County Administrator
1100 Massachusetts Street
Lawrence, KS 66044

Dear Craig:

At our regular meeting on February 25, 2014, the Palmyra board voted unanimously to start the process to create a fire district to serve the residents of Palmyra Township. I understand that this decision ultimately rests with the County Commission and that there is a process that must be followed. Our objective is to complete the process over the next few months so that the district can begin operations January 1, 2015.

We hereby request assistance by the County staff to develop a time table for consideration of this issue. Please call me if you have questions.

Sincerely,

A handwritten signature in cursive script that reads "John Vesecky". The signature is written in black ink and is positioned above the printed name and title.

John Vesecky
Palmyra Township Treasurer

Task list to complete formulation of Palmyra and Willow Springs Fire Districts

- 1) Douglas County BOCC adopts preliminary resolutions establishing the new fire districts and schedules a public hearing for May 14, 2014 (April 16)
- 2) Publish preliminary resolutions and notices of public hearing (April 18, April 25, May 2)
- 3) Hold public hearing and adopt final resolutions organizing new Fire Districts and appointing the Board of each Fire District (May 14)
- 4) Publish final resolution organizing new Fire District (May 16)
- 5) Adopt budgets for new fire districts (After May 16)

RESOLUTION NO. _____

A RESOLUTION RELATIVE TO THE CREATION OF A FIRE DISTRICT,
WITH THE BOUNDARIES CONSISTING OF ALL OF PALMYRA
TOWNSHIP; AND ORDERING A PUBLIC HEARING.

WHEREAS, the Board of County Commissioners of Douglas County, Kansas (the "Board") has, on its own motion and at the request of various persons, determined that it is advisable and in the public interest to organize a fire district pursuant to K.S.A. 19-3601 et seq., for the protection of lives and property from the hazards of fire; and

WHEREAS, the boundaries of the proposed fire district are all of Palmyra Township.

NOW, THEREFORE, it is resolved by the Board pursuant to K.S.A. 19-3601, et seq., as follows:

Section 1. A public hearing concerning the advisability of the organization of such a fire district shall be held before the Board on May 14, 2014 at 6:35 o'clock p.m., or as soon thereafter as it may be heard, at the County Commission Room, 2nd Floor, 1100 Massachusetts St., Lawrence, Kansas.

Section 2. At the public hearing, the Board may abandon its proposal, or may adopt a final resolution organizing the fire district and declaring the boundaries thereof as finally determined.

Section 3. This resolution shall be published in the official County newspaper on April 18, 2014, April 25, 2014, and May 2, 2014, together with a map showing the territory of the proposed fire district and a notice of public hearing on the advisability of organizing such fire district.

ADOPTED on _____, 2014.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:

Nancy Thellman, Chairman

Mike Gaughan, Member

Jim Flory, Member

ATTEST:

Jameson D. Shew

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

In the Matter of the organization of a Douglas, Kansas fire district, the boundaries of which will encompass all of Palmyra Township.

NOTICE OF PUBLIC HEARING

THE STATE OF KANSAS to all persons who are or may be concerned:

Take notice that on the May 14, 2014, at 6:35 o'clock p.m., or as soon thereafter as the matter may be heard, the Board of County Commissioners of Douglas County, Kansas, will convene in the County Commission Room, 2nd Floor, 1100 Massachusetts Street, Lawrence, Kansas, for the purpose of conducting a public hearing on the advisability of organizing a fire district pursuant to K.S.A. 19-3601 et. seq., with the boundaries of the proposed fire district consisting of all of Palmyra Township in accordance with the map attached hereto.

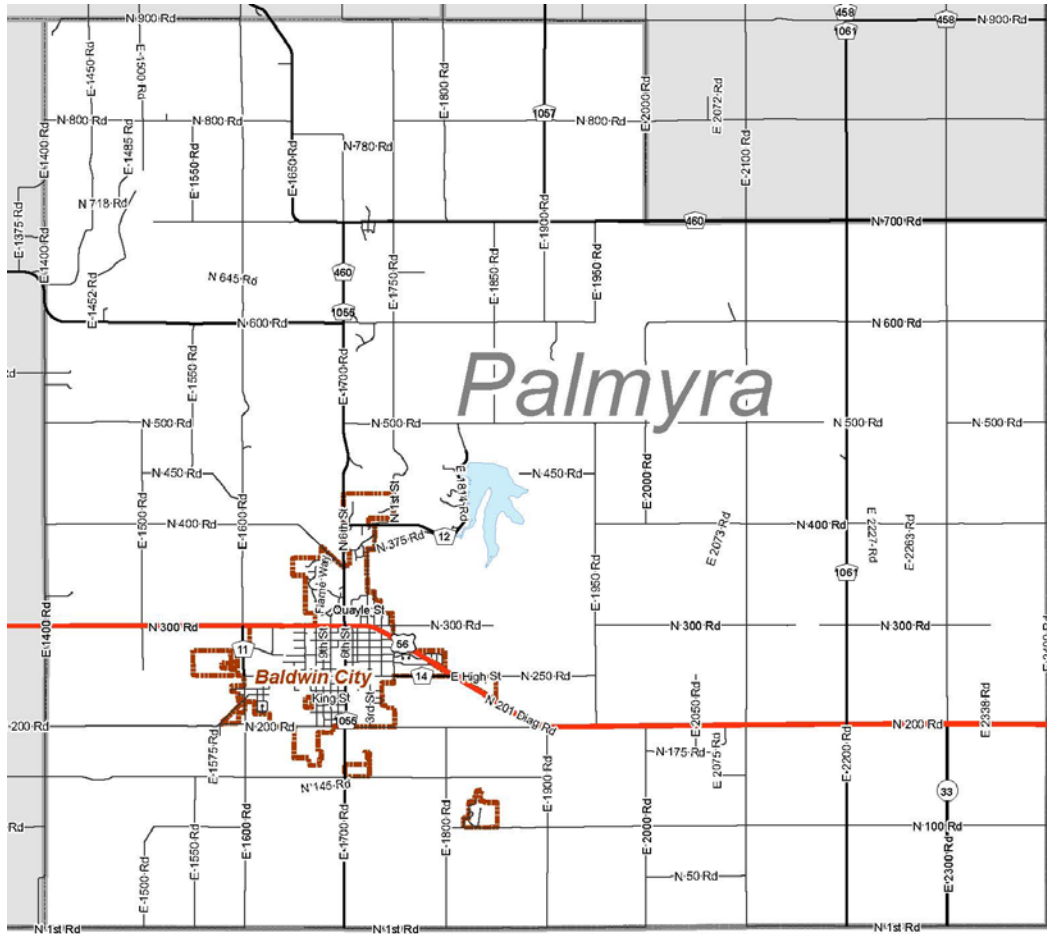
At said time and place, all interested persons can appear and be heard upon the advisability of organizing said the fire district. This Notice is given pursuant to K.S.A. 19-3602.

Jameson D. Shew, Douglas County Clerk

NOTICE TO PUBLISHER

This Notice, together with the attached Resolution and map, shall be published on April 18, 2014, April 25, 2014 and May 2, 2014. Upon completion of the publishing, an Affidavit of Publication shall be forwarded to Jameson D. Shew, Douglas County Clerk.

Map of Palmyra Township



March 11, 2014

Mr. Craig Weinaug
Douglas County Administrator
1100 Massachusetts Street
Lawrence, KS 66044

Dear Craig:

At our regular meeting on March 5, 2014, the Willow Spring board voted 2-1 to start the process to create a fire district to serve the residents of Willow Springs. I understand that this decision ultimately rests with the County Commission and that there is a process that must be followed. Our objective is to complete the process over the next few months so that the district can begin operations January 1, 2015.

We hereby request assistance by the County staff to develop a time table for consideration of this issue. Please call me if you have questions.

Sincerely,

Charlie Wintermantel
Willow Springs Trustee

Task list to complete formulation of Palmyra and Willow Springs Fire Districts

- 1) Douglas County BOCC adopts preliminary resolutions establishing the new fire districts and schedules a public hearing for May 14, 2014 (April 16)
- 2) Publish preliminary resolutions and notices of public hearing (April 18, April 25, May 2)
- 3) Hold public hearing and adopt final resolutions organizing new Fire Districts and appointing the Board of each Fire District (May 14)
- 4) Publish final resolution organizing new Fire District (May 16)
- 5) Adopt budgets for new fire districts (After May 16)

RESOLUTION NO. _____

A RESOLUTION RELATIVE TO THE CREATION OF A FIRE DISTRICT, WITH THE BOUNDARIES CONSISTING OF ALL OF WILLOW SPRINGS TOWNSHIP; AND ORDERING A PUBLIC HEARING.

WHEREAS, the Board of County Commissioners of Douglas County, Kansas (the "Board") has, on its own motion and at the request of various persons, determined that it is advisable and in the public interest to organize a fire district pursuant to K.S.A. 19-3601 et seq., for the protection of lives and property from the hazards of fire; and

WHEREAS, the boundaries of the proposed fire district are all of Willow Springs Township.

NOW, THEREFORE, it is resolved by the Board pursuant to K.S.A. 19-3601, et seq., as follows:

Section 1. A public hearing concerning the advisability of the organization of such a fire district shall be held before the Board on May 14, 2014 at 6:35 o'clock p.m., or as soon thereafter as it may be heard, at the County Commission Room, 2nd Floor, 1100 Massachusetts St., Lawrence, Kansas.

Section 2. At the public hearing, the Board may abandon its proposal, or may adopt a final resolution organizing the fire district and declaring the boundaries thereof as finally determined.

Section 3. This resolution shall be published in the official County newspaper on April 18, 2014, April 25, 2014, and May 2, 2014, together with a map showing the territory of the proposed fire district and a notice of public hearing on the advisability of organizing such fire district.

ADOPTED on _____, 2014.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS:

Nancy Thellman, Chairman

Mike Gaughan, Member

Jim Flory, Member

ATTEST:

Jameson D. Shew

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**

In the Matter of the organization of a Douglas, Kansas fire district, the boundaries of which will encompass all of Willow Springs Township.

NOTICE OF PUBLIC HEARING

THE STATE OF KANSAS to all persons who are or may be concerned:

Take notice that on the May 14, 2014, at 6:35 o'clock p.m., or as soon thereafter as the matter may be heard, the Board of County Commissioners of Douglas County, Kansas, will convene in the County Commission Room, 2nd Floor, 1100 Massachusetts Street, Lawrence, Kansas, for the purpose of conducting a public hearing on the advisability of organizing a fire district pursuant to K.S.A. 19-3601 et. seq., with the boundaries of the proposed fire district consisting of all of Willow Springs Township in accordance with the map attached hereto.

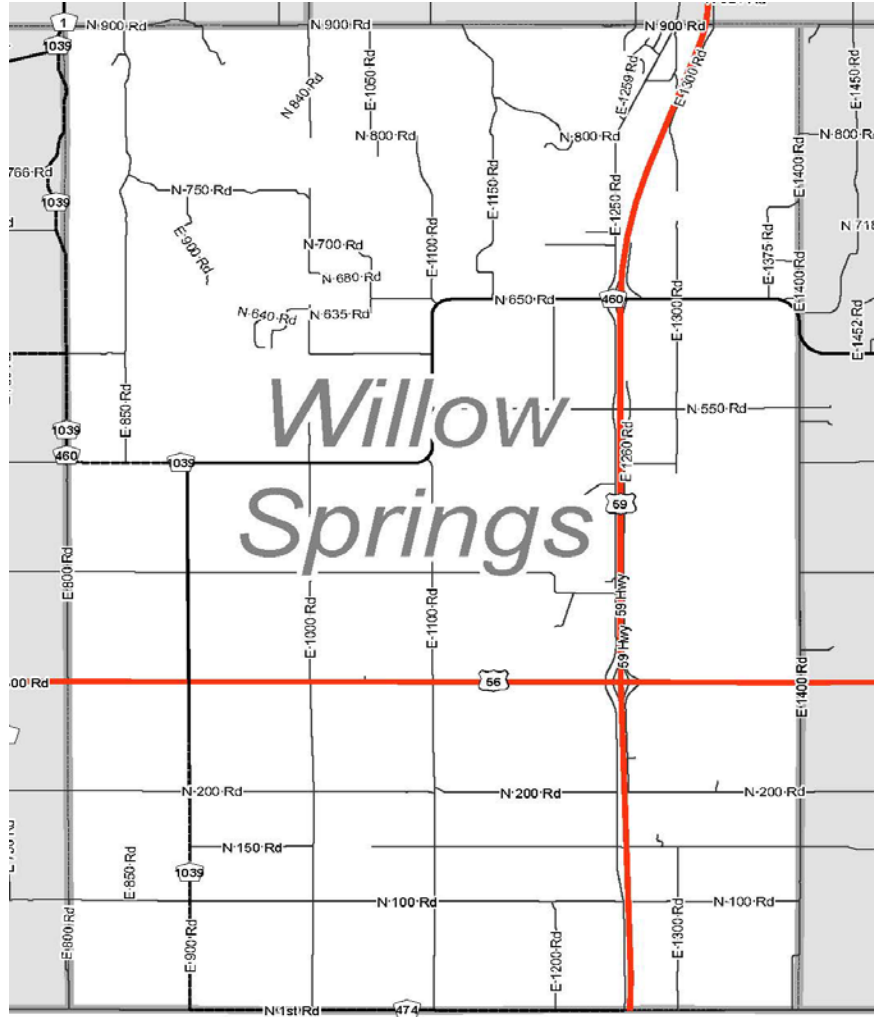
At said time and place, all interested persons can appear and be heard upon the advisability of organizing said the fire district. This Notice is given pursuant to K.S.A. 19-3602.

Jameson D. Shew, Douglas County Clerk

NOTICE TO PUBLISHER

This Notice, together with the attached Resolution and map, shall be published on April 18, 2014, April 25, 2014 and May 2, 2014. Upon completion of the publishing, an Affidavit of Publication shall be forwarded to Jameson D. Shew, Douglas County Clerk.

Map of Willow Springs Township



RESOLUTION NO. _____

A RESOLUTION PROVIDING FOR THE IMPOSITION OF RESTRICTIONS ON CERTAIN OUTDOOR BURNING PRACTICES IN THE UNINCORPORATED AREA OF DOUGLAS COUNTY.

WHEREAS, on this 16th day of April, 2014, the Board of County Commissioners of Douglas County, Kansas finds that dry conditions and the lack of moisture have caused, or imminently threatened to cause widespread or severe damage, injury or loss of life or property in disastrous proportion in Douglas County, Kansas; and

WHEREAS, the Board of County Commissioners deems it advisable to adopt procedures for the implementation of certain regulations on outside burning practices in the unincorporated area of Douglas County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS:

Section 1. Declaration of Emergency. As provided in K.S.A. 48-932, the Chairman of the Board of County Commissioners may declare that due to low moisture conditions that an emergency exists and that the outdoor burning restrictions contained in this declaration shall take effect immediately when the rangeland fire danger is very high or extreme and/or a Red Flag Warning is issued and be in force until the County Commission considers whether to extend or terminate the ban on April 30, 2014, or the County Commission Chair terminates the burn ban prior to April 30, 2014. This declaration of a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the County Clerk.

Section 2. Outdoor Burning Restrictions. During an emergency declared in accordance with Section 1 of this resolution, the following activities shall be prohibited in the outdoors:

(a) The careless use and disposal of smoking materials, including, but not limited to, cigarettes, cigars and pipes. All smoldering remains shall be discarded in inflammable containers and in a manner to reduce the potential for fires.

(b) Building, maintaining, attending or using any open fire or campfire, except in permanent stoves or fireplaces or in barbecue grills in developed recreational sites or on residential home sites or in any device specifically approved and authorized by the relevant fire chief of the jurisdiction.

(c) Burning of all fencerows, fields, wild lands, ravines, trash, debris or areas or materials.

Section 3. Penalties. As provided in K.S.A. 48-939, the knowing or willful violation of any restrictions adopted pursuant to this resolution shall constitute a class A misdemeanor and shall be punished as provided by law therefore.

ADOPTED this 16th day of April, 2014.

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY, KANSAS

Mike Gaughan, Chair

Jim Flory, Commissioner

Nancy Thellman, Commissioner

ATTEST:

Douglas County Clerk

DRAFT

April ____, 2014

Dear City Commissioners:

Douglas County is in the process of constructing a new Public Works Facility within the city limits on East 25th Street. Our new facility will consolidate at this location both our administrative and engineering staff, who are currently located south of the Douglas County Courthouse on Massachusetts Street, and our Operations staff, who are currently located on East 23rd Street.

During the site plan and site development process, we have worked closely with the Utilities Department and the Fire Department to comply with city code and provide a water system that works best for the City of Lawrence and serves the needs of Douglas County Public Works. We are constructing, at our cost, 1546 linear feet of 8" water main which will eliminate two existing dead end 8" water mains and will loop the existing waterline system which currently serves the Lawrence Homeless Shelter. Douglas County is providing a new water main and water service configuration that complies with all domestic water and fire flow requirements and improves the city's existing water system in this area.

Ordinance No. 6791, adopted on July 2, 1996, establishes the requirement of system development charges for certain connections to the water and wastewater utility. The ordinance states that certain portions of the capital improvement program are necessitated by increased demands placed on the water and wastewater utility by the growth of the community, and that an appropriate nexus exists between a connection to the City water and wastewater utility and the requirement for the payment of system development charges.

Douglas County has been informed that our system development charge for the water meters needed to serve the Douglas County Public Works Facility will be \$264,520. This new facility replaces two existing locations in the City of Lawrence where Douglas County staff currently work. This new facility does not provide any services that we are not currently performing at these two existing locations. No increase in water use is anticipated at the new facility. Therefore, no increased demand is being placed on the city water and wastewater utility.

Article 19-906(B) of the city code states "The City Commission may exempt a specific certain service connection or service connections from the requirement of system development charges, provided that the City Commission finds that such exemption serves the public interest pursuant to an adopted policy concerning exemptions." We have searched for this policy and have not been able to find the "adopted policy concerning exemptions".

Douglas County respectfully requests that the City Commission exempt the service connections for the new Douglas County Public Works Facility from the requirement of system development charges because there is no increased demand on the water and wastewater utility due to the construction of this facility, and such exemption serves the public interest. Thank you for your consideration.

Douglas County Commission

**STAFF REPORT
BOARD OF COUNTY COMMISSION**

CUP-12-16-02/CUP-14-00064: 5 YEAR COMPLIANCE REVIEW AND RECLAMATION PLANS FOR HAMM EUDORA QUARRY #68

Staff report with 5 year compliance review and reclamation plan for Eudora Quarry #68 located in the northwest corner of the intersection of E 2400 and N 1200 Roads.

ATTACHMENTS:

- A. Conditions and Restrictions of Use
- B. Operation plan (with screening plan)
- C. Operation Report
- D. Reclamation Plan

BACKGROUND

Conditional Use Permit, CUP-12-16-02, was approved for the Hamms Eudora Quarry #68 by the County Commission on July 9, 2003 subject to Conditions and Restrictions of use. The Conditional Use Permit plans were released to the Zoning and Codes Office on July 8, 2008 when these conditions were met.

The existing quarry at the northwest corner of the intersection of E2400 and N 1200 Roads was in operation prior to the adoption of the Zoning Regulations; therefore, a CUP is not required for this quarry. It is permitted to remain as a nonconforming use. The subject Conditional Use Permit was approved for quarrying activity on the adjacent property to the north. Figure 1 shows the location of the existing quarry, commonly called the Petefish Quarry, and the permitted quarry, Eudora Quarry #68.

Reclamation of the Petefish Quarry was included as a condition of this CUP. The area to the east of the creek is required to be reclaimed when quarrying begins on the adjacent property and the area to the west of the creek is required to be reclaimed 3 years after quarrying activity on the quarry overall is complete (which is the reclamation time frame set by the State Conservation Commission).

Item 14 in the Conditions and Restrictions of Use requires that the Conditional Use Permit and all conditions be reviewed by the Planning Office and a report forwarded to the County Commission every 5 years. Public notification is required with only the first review; however, as no quarrying has occurred on the subject property to this point, public notification was provided with this review. Public notification will be provided until quarrying has commenced and the first 5 year compliance review has been conducted.

This review evaluates the quarry (or the operation/reclamation plans and Operation Report) for compliance with the restrictions of use which were applied on the quarry by the Board of County Commissioners when the Conditional Use was approved. The restrictions are written in red and staff's discussion follows. Staff's recommendations are noted at the end of the report.

Items requiring Commission Action

- Screening and Fencing Plans
- Reclamation Plan –including request to reclaim east side of Petefish Quarry for use as asphalt batch plant site
- Revised Access Locations
- 5 year Compliance Review

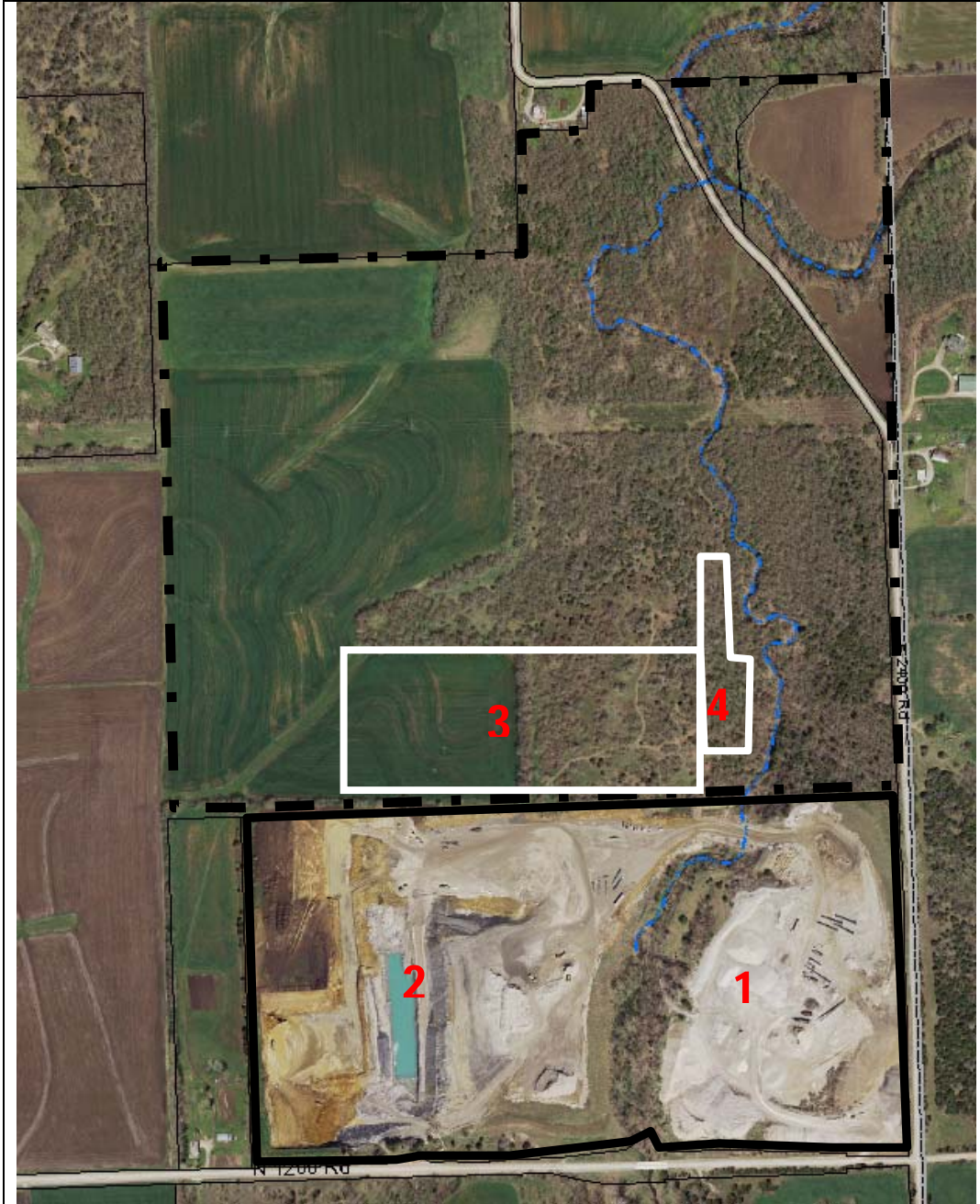


Figure 1. Existing quarry boundary outlined. Boundary of quarry permitted with CUP-12-16-02 shown with dashed outline.

Area 1: proposed for reclamation as temporary asphalt batch plant site. Will be final reclaimed following conclusion of quarrying on permitted property.

Area 2: proposed for use as scale house and stockpile area. Will be reclaimed following conclusion of quarrying on permitted property.

Area 3: proposed cuts area for Phase 1 (approximate).

Area 4: proposed stockpile area for Phase 1 (approximate).

No 3. Time Restrictions.

- a) Removal of materials from site: 6 a.m. – 9 p.m. Mon.-Sat
- b) Production and extraction: 7 a.m.-5 p.m. Mon.-Sat
- c) Blasting: See Blasting below
- d) No quarry operations shall take place on the following holidays or the days on which such holidays are observed by Kansas State Government: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving Day, and Christmas Day.
- e) If production demand requires additional production and extraction time outside the normal schedule, application for specific additional hours of operation for a specified period may be requested to the County Commission. Additional hours of operation for limited periods must be approved by the county Commission.

These hours and holidays, and additional production measures are listed in the Operation Report and are noted on the Operation Plan.

No 4. Blasting.

Blasting will follow recognized standards of the industry. Blasting shall be conducted between noon and 2:00 p.m. to the maximum extent possible and allowable by weather and atmospheric conditions. Blasting between 10:00 a.m. – noon and 2:00 p.m. - 4:00 p.m. shall be allowed occasionally to allow for weather and other conditions for efficient operation of the quarry. Blasting from 8:00 a.m. – 10:00 a.m. and 4:00 p.m. to 5:30 p.m. shall be permitted only in those circumstances when conditions during other allowable periods are unfavorable.

This restriction is listed in the Operation Report and is noted on the Operation Plan.

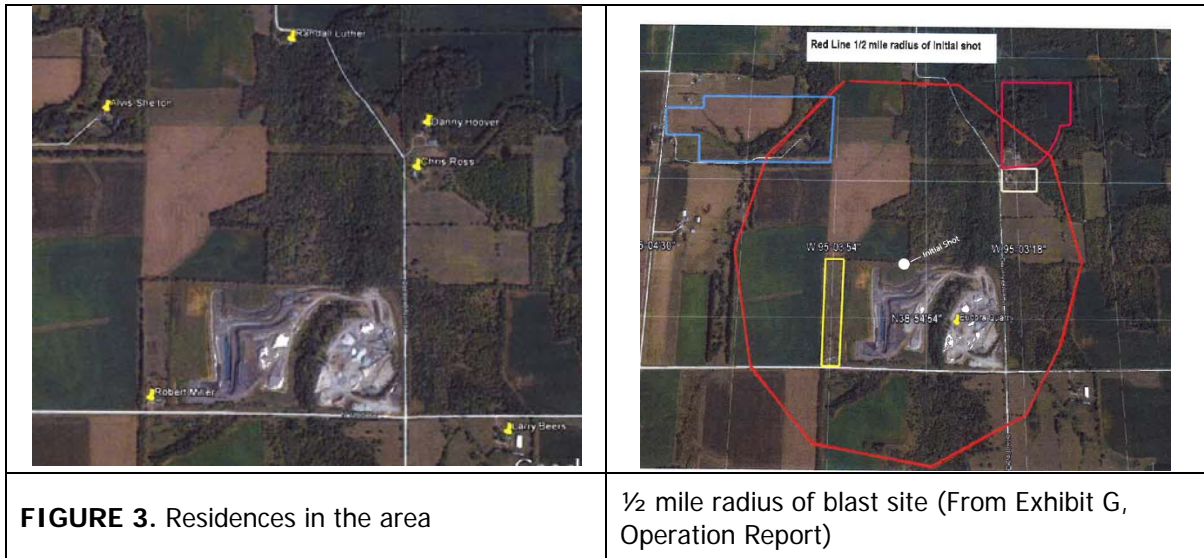
No 5. Pre-Blast Survey and Hydrologic Study.

Any resident or property owner within ½ mile of the property may request Hamm Quarries to provide a pre-blast survey of their residences, wells, springs and outbuildings to determine the pre-blast condition, document such condition, and provide the report to the resident. Such a survey shall be paid for by Hamm Quarries and conducted by independent seismology and insurance firms.

The Operation Report's Exhibit G includes a summary of the work that Hamms has contracted with Vibra-Tech Engineers, Inc. to do. They will perform pre-blast condition surveys of all residences within a one-half mile radius of the newly permitted mine area and the outbuildings listed in the exhibit (dependent on land owner permission). They will provide the property owners one copy of the digital audio and photo data from the inspection. The survey can include wells and springs if requested by the property owner.

Hamm Quarries shall contract with an independent seismology firm to monitor blasts at the commencement of quarrying operations at each residence within ½ mile of the blast site to assure that the blast design will not be harmful to any structures or wells and that all associated vibrations are below currently recognized safety levels. A report on the monitoring of initial blasting shall be made available to owners of the residences and such report shall include a full frequency analysis of vibrations.

Exhibit G notes that a Vibra-Tech Engineers, Inc. representative will be present to monitor the ground vibrations and air overpressures produced by the first blast detonated at the newly permitted area. On-site monitoring will occur at the following addresses: 2352 N 1200 Rd.; 1258 E 200 Rd; 11515 County Line Rd; and 11499 County Line Road (last 2 addresses are in Johnson County). These are the residences within ½ mile of the initial shoot. (Figure 3)



After the initial blasting, Hamm Quarries shall contract for a continuous monitoring program commencing with the start of continuous regular blasting by an independent seismology firm at stations chosen by the seismology firm. A monthly report, which analyzes the impacts of daily blasting, will be available at Hamm Quarries' offices for inspection. Residents may request positioning of the seismograph to measure the impact at their property. The applicant shall not be required to conduct tests in excess of those it determines, based on the professional advice of its independent seismology firm, will provide adequate seismic readings at resident's properties. Any resident desiring to appeal the decision of the applicant concerning this condition may appeal it to the Douglas County Public Works Director who may order seismic tests at such locations as it deems appropriate under the circumstances at the expense of Hamm Quarries.

No explosives will be set in the ground overnight unguarded.

Exhibit G notes that Vibra-Tech will act as a third-party vibration monitoring consultant. A remote seismic monitoring station will be installed at the uncontrolled structure (structure not owned by Hamm Quarry) nearest the blasting site. When ground motion from a blast exceeds a set trigger level, an event is recorded and transmitted to a central location for analysis. The data is then accessible to authorized users.

No blasting has taken place on the subject property. The pre-blast survey must be completed before any blasting can occur.

No 6. Fencing.

A fencing and screening plan shall be submitted by the applicant and approved by the County Commission prior to commencement of operations on the permitted property. The fence along N 1200 Road for the existing quarry will be repaired. A security gate and fence shall be placed at the entrance to the quarrying site across the main haul road. Secure gate to be locked during hours when no staff are present on the site. The entrance shall be signed stating:

- a) The operator's name, business address and phone number;
- b) Conditional use Permit Number; and
- c) No Trespassing

A fencing plan was submitted with the previous 5 year review and has been resubmitted as Exhibit B of the Operation Report. The Operation Plan includes the fencing as shown on the

fencing plan. The fencing plan notes that entrances may be added and 2 gated entrances have been added (one on the north and one on the west side) for property owner field access.

The Operation Plan also shows the proposed screening and this is explained on Pages 4 and 7 of the Operation Report. A berm will be installed along the west and north perimeter of the permitted property as excavation commences in Phase 1. The berms will be installed with top soil from Cuts 1 and 2. No berm is necessary along the south perimeter as this is adjacent to other quarry property with the exception of the west portion which is adjacent to the Miller property. A berm will be provided in this area.

The berms will be approximately 4 ft tall with a slope of 3:1 and a width of approximately 10 to 15 ft. Cuts are provided in the berms in various locations to allow for stormwater flow; however, these are at 45 degree angles to reduce visibility into the site. No quarrying operations are permitted on the east side of the creek running through the property. As this area is heavily timbered the woods will provide the required screening so no berms are necessary in this location. The north boundary, just to the west of the creek is also heavily wooded and the woods will be retained to provide screening rather than being removed to install a berm.

The berms will be graded to the dimensions noted on the Operation plan and seeded. Vegetation will be established and maintained on the berms.

Berms will also be installed along N 1200 Road for the existing Petefish Quarry (unless approval to reclaim the side east of the creek for future use as a temporary asphalt batch plant is denied). Cedar trees are proposed along the fence side of these berms, on 20 ft centers to provide additional screening of the scale house/stockpile area west of the creek and the temporary asphalt batch plant site (if approved) east of the creek.

The fencing and screening plans are before the Commission tonight for consideration. Staff recommends approval of the plans as provided.

Exhibit J provides illustrations of the entrance signage which comply with, and exceed this requirement.

No 7. Air Quality.

The quarry operator shall adhere to air quality standards of Kansas Department of Health and Environment (KDHE). Airborne dust produced as a result of the quarry operation shall be controlled by the operator and shall comply with all requirements of the Air Quality Standards and Regulations of the KDHE. Specifically, such airborne dust produced as a result of the quarrying operation shall not exceed 20 percent of opacity more than one (1) time in a one (1) year period as observed by an Official Observer of the KDHE over a five (5) minute period.

No action is needed at this time. Compliance will be required when the quarry is in operation

No 8. Other Regulatory Restrictions.

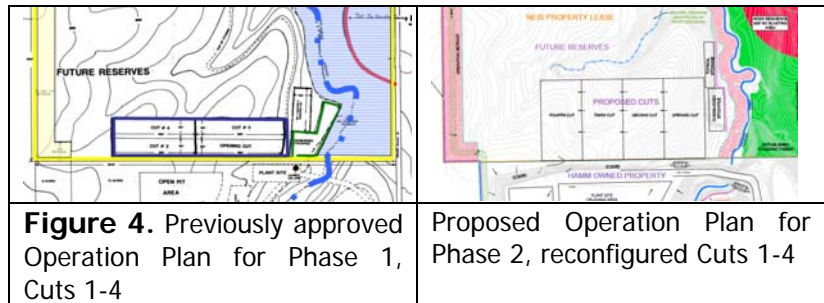
All applicable regulations of utility companies, EPA, KDHE, Kansas State Board of Agriculture – DWR, Kansas State Conservation Commission, and other applicable agencies shall be adhered to and subsequent revisions to these regulations shall apply. All permits needed to operate a quarry, such as a national Pollutant Discharge Elimination System Permit, Mini Identification Number, Kansas State Board of Agriculture Division of Water Resources Permit to wash rock, discharge permit, etc. be obtained.

All applicable regulations shall be adhered to and permits obtained prior to commencement of quarry activity. The applicant provided copies of their permits and compliance will be determined by the Zoning and Codes Office prior to release of the permit for the Conditional Use.

No 9. Reclamation and Review.

Prior to commencing operation of the quarry, the first year of operation, and every 5 years thereafter, the applicants shall submit a detailed report and plan of quarrying operations to the Planning Office and to the Douglas County Public Works Director indicating the phases of quarry operation, location of stockpile area, estimated volume of material being extracted, and a detailed monitoring and management plan for the areas undergoing reclamation

A detailed Operation plan and report was submitted. These are included as attachments with this report are included in the Operation Report as Exhibits H and I. One change in the operation plan from that previously approved is in the sequencing of the cuts.



The Operation Report estimates the amount of material to be removed as between 250,000 and 600,000 tons annually (page 10). The stockpile area is shown to the east of the opening cut but is not within the required setback. Top soil from Cuts 1 and 2 will be used to create the screening berms and reclamation will occur sequentially with the overburden from one cut being used to reclaim the previous.

The Operation Plan for Phase 1 with the revised sequencing of the cuts has been administratively approved.

The Monitoring and Management Plan for the Reclamation Process shall include:

- a) Detailed reclamation plans submitted for each phase of the reclamation process for review and recommendation by the Planning Staff and approval by the County Commission. The reclamation plan for the exiting quarry shall be submitted prior to commencement of operations on Cuts #1-4 shown on the plan. The reclamation plan for cuts #1-4 shall be submitted prior to opening of quarrying activities in 'Future Reserves', and each subsequent reclamation plan shall be submitted prior to the opening of the following phase of quarrying activity. The property shall be reclaimed to a state similar to the existing state (or better) with reference to general topography, percent slope, and plant and animal life supported by the established ecosystem. The plan shall be reviewed by the LDCPO for recommendation to the BCC for their approval.

PETEFISH QUARRY: EAST OF COLEMAN CREEK

The reclamation plan shows Phase 1 of the permitted quarry as well as the Petefish quarry. With this submittal, the applicant is requesting that the reclamation for the area to the east of the creek on the Petefish quarry be reclaimed to a state that would be suitable for a temporary asphalt batch plant (dependent on the approval of temporary business permits for this use).

The Reclamation Report notes that this area would be graded with no slope above 3:1. A 50 ft wide grassed area will be reclaimed to the east of Coleman Creek and this area will be graded to slope away from the creek. If Hamm receives approval to reclaim for a temporary asphalt

batch plant site they will construct a berm to provide screening from the roadway. The berm would extend from the current berm on 2400 Road south approximately 700 ft to the intersection then west on 1200 Road. The current entrance gate would be relocated per County Engineer and township approval. The County Engineer recommends the new entrance location as it is further from the intersection and would be safer. The berm would be set back a minimum of 15 ft inside the fence line and would be uniformly constructed: approximately 4 ft high and 10 to 15 ft wide. Cedar trees will be planted at the base of the new berm on E 2400 Road and the entire length of the berm along N 1200 Rd with 20 ft spacing between trees. The berm will be seeded with landowner preferred mix or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Mulch will be applied and erosion control measures will be in place until the vegetation is established. The current storm water detention pond would continue to be used.

This area would be reclaimed with the remainder of the quarry following the commencement of the quarrying activities on the permitted quarry. The following reclamation plan would be used at this stage, or in the event the request to reclaim for a temporary asphalt batch plant site is denied: the area will be leveled, graded (no slopes will be greater than 3 to 1), and covered with top soil. The area will be seeded, mulched and appropriate soil erosion control measures used until vegetation is established. Final purpose for this area, given its small area, would be wildlife habitat.

Staff recommends approval of this reclamation plan and the requested change to allow the area east of the Creek on the Petefish quarry to be reclaimed in a manner that would allow a temporary asphalt batch plant with the following condition:

- 1) The screening trees will be planted when the berms are completed; however, if the weather is not appropriate at that time they will be planted within 1 year of the approval of the reclamation plan.**

If the Commission does not approve the site for a temporary batch plant (or at the end of quarrying activities) the property will be reclaimed as wildlife habitat as outlined in the Operation Report.

CUTS 1-4

The reclamation plan for Cuts 1-4 is required prior to quarrying operations commencing in the Future Reserves area. A reclamation plan has been provided with this submittal showing the proposed grading of the area and the approximate location of the resultant pond. The exact location and dimensions will be dependent on the location of reserves and quarrying activity. If the reclamation plan differs significantly from that shown on this plan, a revised plan will be provided for approval prior to quarrying in Phase 2.

Staff recommends approval of the reclamation plan for Cuts 1-4 subject to the following condition:

- 1) If the quarrying activity will result in a reclamation that differs from that shown on this plan (beyond minor variations) a revised reclamation plan will be provided for review and Commission approval prior to commencement of quarrying in Phase 2.**

PETEFISH QUARRY WEST OF COLEMAN CREEK:

The area to the west of the creek will continue to be used as the scale house and stockpile area for the quarry. Final reclamation of this area will occur following conclusion of quarry operations. State law requires reclamation to be completed within 3 years after conclusion of

quarry activities. The report notes the reclamation that will occur when quarrying ceases: Stockpiled materials will be used to create slopes at no greater than 3:1 in various areas of the quarry. A pond will be incorporated into the northwest portion. Stockpiled top soil and top soil from the perimeter berms will be used to cover the reclaimed area and it will be seeded with mulch and erosion control measures used until vegetation is established. The final reclamation will provide habitat suitable for wildlife and livestock production.

Staff recommends approval of the reclamation plan for the Petefish quarry west of Coleman Creek subject to the following condition:

- 1) **A revised reclamation plan shall be provided prior to the final phase showing the berms removed.**
- b) A performance bond in the amount required by applicable Kansas statutes with sufficient sureties shall be secured to cover reclamation activities for the existing site and proposed cuts #1-4 as designated on the site plan and shall be filed with the Kansas State Conservation Commission (KSCC) prior to the commencement of any site preparation activities or any other work being done pursuant to the CUP. This performance bond shall remain in place for the entire life of the permit and shall not be subject to release until the plant site has been fully reclaimed and certification thereof shall have been made by the KSCC. The performance bond must meet the standards and statutes of the State of Kansas.

Exhibit K includes a letter from Scott B Carlson, with the SCC which indicates that there is a bond for \$2,196,000 for 3,660 acres that Hamm has registered. The applicant explained that the quarry operator is required to report the active acreage they have each year and the bond is adjusted accordingly.

No more than 30 acres may be open, mined and extracted from at any one time on the quarry site, exclusive of the plant site. No more than 10 acres shall be open, mined and extracted from in a subsequent phase until reclamation is complete on the previous phase.

These restrictions are noted on the operation plan. No quarrying has been conducted on the permitted site at this time and no reclamation is currently underway.

No 10. Drainage Study

Prior to work progressing in each phase of the quarrying operation, a detailed grading plan showing site runoff and its relationship to the adjoining properties shall be submitted to the Planning Office for review and approval prior to work progressing in each phase.

Drainage plan was submitted with the Operation Plan and was accepted following minor revisions.

No 11. Site Access and Road Restrictions.

- a) No direct access to County Road E 2400 shall be allowed.

No access to E 2400 Road is proposed.

- b) The access to the site for transport truck traffic and hauling of rock shall be restricted to N 1200 Road.

- c) The route for truck traffic heading out of the site will be west on N 1200 Road to County Route 1061.

Truck traffic to and from the site shall be limited to N 1200 Road west. The operator shall make this clear to their suppliers and customers.

- d) Applicant shall provide rock, culvert pipes, and construction assistance to Eudora Township and Douglas County to improve N 1200 Road from E 2400 Road to County Road 1061 in conformance with requirements of Eudora Township and Douglas county Public Works Department.
- i. The improvements required include replacement of four culverts according to Douglas County Public Works specifications and improvement of the road base and surface to a minimum width of 24 feet.
 - ii. Applicant shall pay Douglas County for costs of acquiring any additional right-of-way needed for the roadway and culvert improvements.
 - iii. Required road improvements shall be completed prior to any rock being extracted from the new permitted property.
 - iv. Applicant shall periodically supply rock and dust control for maintenance of the township road during periods of quarry activity.
 - v. Applicant shall pay Douglas County a fee of 10 cents per ton of rock hauled from the permitted property. The fee per ton amount will be indexed every year based on the Consumer Price Index for all urban consumers-all items.

Douglas County Public Works Department provided a letter that all required road improvements had been completed. This is included with the Operation Report as Exhibit D.

Restrictions which shall be posted at the entrance to the plant, regarding vehicles hauling from the site, are to include:

- i. No flat bed trucks without sides or tailgates;
- ii. Tailgates in place and upright position; and
- iii. All trucks leaving the site must be covered by a secure tarp.

Signage posted at the gate contains this information.

- e) Hamm Quarries shall be responsible for spillage and clean up of aggregate within one mile of the plant site. The failure by the applicant to clean up spilled aggregate of such roads within a reasonable period of time shall be grounds for action under the Inspection/Violation/Revocation.

This will be evaluated as quarrying commences on the property. No complaints are on file for the existing quarry.

- f) Weight limitations shall be posted on appropriate roads adjacent to the quarry.

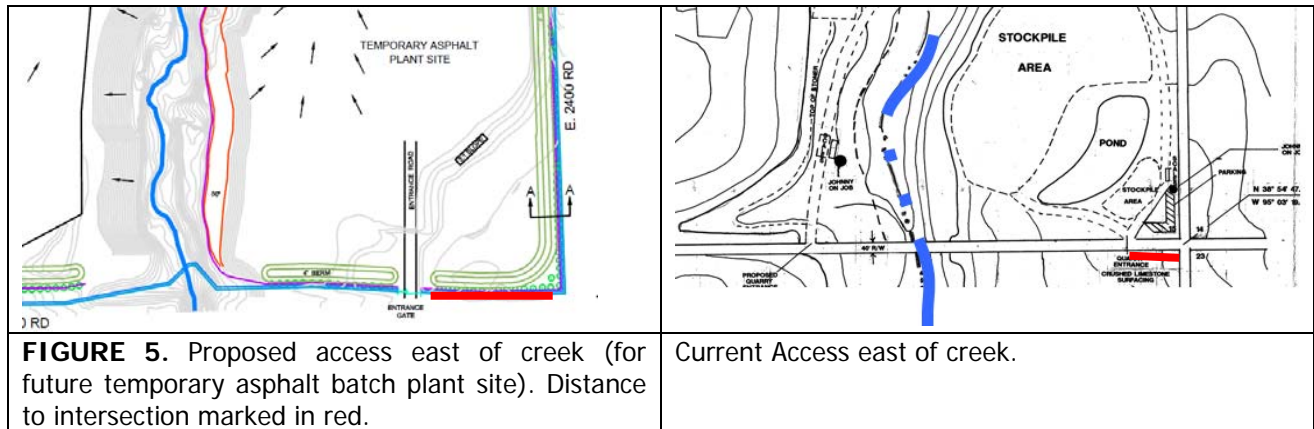
The County Engineer suggested that we meet with Eudora Township and coordinate the placement of the weight limit signs. This coordination and the posting of the signs shall occur prior to the release of the CUP permit and commencement of quarrying activities.

- g) Hamm Quarries shall take the lead to communicate and cooperate with the Douglas county Public Works Director and Eudora city and school officials on traffic controls on County Road during periods of quarry activity.

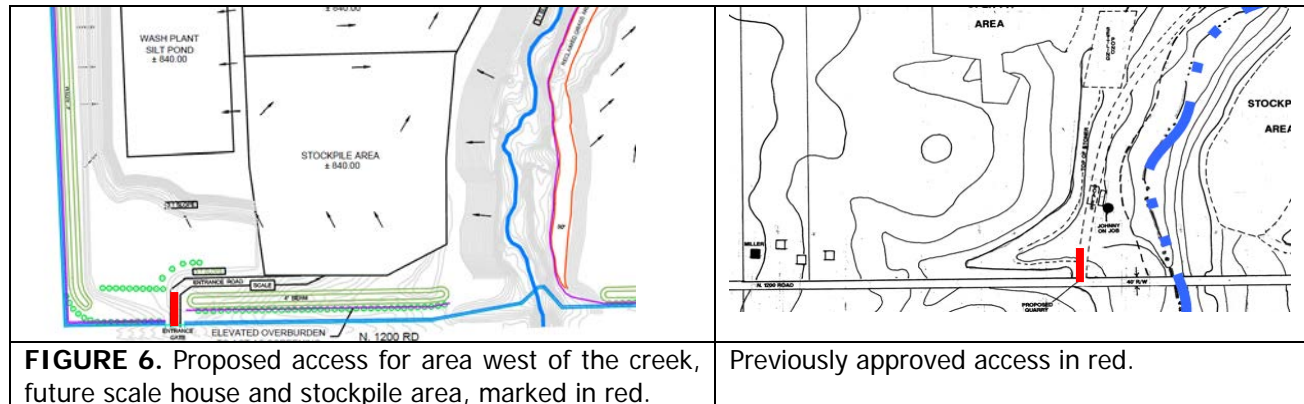
This will be evaluated as quarrying commences on the property. Hamm Quarries should contact the school officials and the Public Works Director prior to commencing quarrying on the permitted property.

REQUESTED CHANGES TO SITE ACCESS:

- 1) If the Petefish quarry area east of Coleman Creek is reclaimed for use as a temporary batch plant (temporary business use permit required) the access point would be moved as shown in Figure 5. The County Engineer supports this change as it moves the access point further from the intersection.



- 2) The access into the scalehouse/stockpile area of the quarry would also change as shown in Figure 6. The County Engineer had no concerns with the relocation of this access point.



No 12. Noise and Light Pollution.

Vehicles used in plant operation (extraction and production) after 5:30 p.m. ½ hour prior to sunset shall be equipped with a strobe light in addition to the back-up (audible) signal alarm. During hours when it is permissible to use only a strobe light, the audible signal shall be turned off.

Permanent outdoor lighting at the plant area, mining area, and haul roads shall be shielded and directed down with a solid screen to prevent light pollution beyond the site boundaries. Lighting is restricted to low pressure sodium.

The operator indicated that the machinery will be retrofitted with the strobe lights prior to quarrying in the permitted area later than ½ hour prior to sunset and that all lighting will comply with this requirement.

No 13.

A change in the quarry operator shall require the Conditional Use Permit to come back to the Planning Commission for review and to the County Commission for re-approval.

No change in operator is being proposed.

No 14. Inspection/Violation/Revocation

The Douglas County Commission, or the appointed representatives thereof, shall have the right, without advance notice, to enter the premises and inspect any aspect of the quarry operation

for compliance with the conditions of this permit. Upon entering the premises, the County shall first request an escort by the applicant's representatives. If no escort is available, the inspection may proceed immediately.

The Conditional use Permit and all conditions attached thereto will be reviewed by the Planning Office and a report forwarded to the County Commission every five (5) years. The applicant will provide a report setting out quarry operations over the five year period and certifying compliance with the Conditions of Approval and Restrictions of Use.

No quarrying has occurred up to this point so the Operation Report provides information on the quarrying that will occur in the next period. The operator indicated that they are now ready to move into the permitted area. The 5 year review evaluates the Operation Plan and Report for compliance with the Restrictions of Use.

At the times of such review, the County Commission shall review all conditions and Hamm Quarry's compliance therewith. If the County Commission finds that Hamm Quarries has failed to abide by any conditions listed in this document, the Commission may, after such appropriate notice to comply and opportunity to correct non-compliance within a reasonable time prior to taking action on permit revocation, revoke the Conditional use Permit.

For the first five year review, Hamm Quarries shall provide a property ownership list to the Planning office which will notice property owners within 1000 feet of the property of the Commission's review process. The Conditional use Permit will expire in 2033 (30-year time limit), after which the owner/applicant shall be required to seek approval through a new CUP approval procedure.

Staff obtained a property ownership list from the Douglas County Clerk and from the Johnson County GIS Department. Public notification was provided with this 5 year review and with the previous. Notice will also be provided with the next review, as it will be the first following commencement of quarrying activities.

No 15. Applicant/Hamm Quarries.

Throughout these Restrictions of Use, the terms Applicant, applicant, Hamm, Hamm Quarries, and similar designations are used interchangeably. All such terms shall refer to N.R. Hamm Quarry, Inc. and its successors and permitted assigns.

No action required of applicant.

SUMMARY OF ACTIONS NECESSARY PRIOR TO COMMENCEMENT OF QUARRYING ACTIVITY

- County Commission approval of the fencing and screening plans.
- County Commission approval of the reclamation plans.
- The pre-blast survey shall be completed and the report provided to the property owners.
- A permit for the Conditional Use must be obtained from the Zoning and Codes Office.
- Weight limit signs posted on appropriate roads as determined by the County Engineer and Eudora Township.

Conclusion: The quarry is in compliance with the conditions of the CUP as no quarrying activities have commenced on the Hamm Eudora Quarry #68. This review reviews the reclamation plan and operation plan and notes the actions which must be completed prior to the commencement of quarrying operations in Quarry #68. When these actions have been met, quarrying may commence on Phase 1, Cuts 1-4, of the Hamm Eudora Quarry # 68.

**CUP-12-16-02; Eudora Quarry #68
RESTRICTIONS OF USE**

I. Allowed Uses

- a) Quarry operations on this site shall consist of only the following:
- b) Removal of overburden and the extraction and processing of limestone utilizing a portable plant and equipment.
- c) Stockpiling of topsoil, overburden, and limestone.
- d) Transportation and hauling of limestone and materials.
- e) Reclamation of the site.
- f) Blasting operations.

The property shall not be used or requested for use as a sanitary landfill within the life of this Conditional Use Permit.

II. Setbacks

- a) Operations setbacks vary around the perimeter of the site based on the submitted site plan. Required setbacks are:
 - b) A minimum setback of 500 feet from existing residences shown on the site plan.
 - c) A minimum setback of 150 feet from the perimeter of the site, unless otherwise specified.
 - d) A minimum setback of 100 feet from the west side of the tributary running through the site. No quarry operations east of the tributary running through the site.

III. Time Restrictions on Operations

- a) Removal of materials from site: 6 a.m. – 9:00 p.m., Mon. – Sat.;
- b) Production and extraction: 7 a.m. – 5:00 p.m., Mon. – Sat.;
- c) Blasting: See Blasting below;
- d) No quarry operations shall take place on the following holidays or the days on which such holidays are observed by Kansas State Government: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving Day, and Christmas Day.
- e) If production demand requires additional production and extraction time outside the normal schedule, application for specific additional hours of operation for a specified period may be requested to the County Commission. Additional hours of operation for limited periods must be approved by the County Commission.

IV. Blasting

Blasting will follow recognized standards of the industry. Blasting shall be conducted between noon and 2:00 p.m. to the maximum extent possible and allowable by weather and atmospheric conditions. Blasting between 10:00 a.m. - noon and 2:00 p.m. – 4:00 p.m. shall be allowed occasionally to allow for weather and other conditions for efficient operation of the quarry. Blasting from 8:00 a.m. – 10:00 a.m. and 4:00 p.m. to 5:30 p.m. shall be permitted only in those circumstances when conditions during other allowable periods are unfavorable.

V. Pre-Blast Survey and Hydrologic Study

Any resident or property owner within ½ miles of the property may request Hamm Quarries to provide a pre-blast survey of their residences, wells, springs and outbuildings to determine the pre-blast condition, document such condition, and provide the report to the resident. Such a survey shall be paid for by Hamm Quarries and conducted by independent seismology and insurance firms.

Hamm Quarries shall contract with an independent seismology firm to monitor blasts at the commencement of quarrying operations at each residence within ½ mile of the blast site to assure that the blast design will not be harmful to any structures or wells and that all associated vibrations are below currently recognized safety levels. A report on the monitoring of initial blasting shall be made available to owners of the residences and such report shall include a full frequency analysis of vibrations.

After the initial blasting, Hamm Quarries shall contract for a continuous monitoring program commencing with the start of continuous regular blasting by an independent seismology firm at stations chosen by the seismology firm. A monthly report, which analyzes the impacts of daily blasting, will be available at Hamm Quarries' offices for inspection. Residents may request positioning of the seismograph to measure the impact at their property. The applicant shall not be required to conduct tests in excess of those it determines, based on the professional advice of its independent seismology firm, will provide adequate seismic readings at resident's properties. Any resident desiring to appeal the decision of the applicant concerning this condition may appeal it to the Douglas County Public Works Director who may order seismic tests at such locations as it deems appropriate under the circumstances at the expense of Hamm Quarries.

No explosives will be set in the ground overnight unguarded.

VI. Fencing

A fencing and screening plan shall be submitted by the applicant and approved by the County Commission prior to commencement of operations on the permitted property. The fence along N 1200 Road for the existing quarry will be repaired. A security gate and fence shall be placed at the entrance to the quarrying site across the main haul road. Secure gate to be locked during hours when no staff are present on the site. The entrance shall be signed stating:

- a) The operator's name, business address and phone number;
- b) Conditional Use Permit Number; and
- c) No Trespassing

VII. Air Quality

The quarry operator shall adhere to air quality standards of Kansas Department of Health and Environment (KDHE). Airborne dust produced as a result of the quarry operation shall be controlled by the operator and shall comply with all requirements of the Air Quality Standards and Regulations of the KDHE. Specifically, such airborne dust produced as a result of the quarrying operation shall not exceed 20 percent of opacity more than one (1) time in a one (1) year period as observed by an Official Observer of the KDHE over a five (5) minute period.

VIII. Other Regulatory Restrictions

All applicable regulations of utility companies, EPA, KDHE, Kansas State Board of Agriculture – DWR, Kansas State Conservation Commission, and other applicable agencies shall be adhered to and subsequent revisions to these regulations shall apply. All permits needed to operate a quarry, such as a National Pollutant Discharge Elimination System Permit, Mine Identification Number, Kansas State Board of Agriculture Division of Water Resources Permit to wash rock, discharge permit, etc. be obtained.

IX. Reclamation and Review

- a) Prior to commencing operation of the quarry, the first year of operation, and every 5 years thereafter, the applicants shall submit a detailed report and plan of quarrying operations to the Planning Office and to the Douglas County Public Works Director indicating the phases of quarry operation, location of stockpile area, estimated volume of material being extracted, and a detailed monitoring and management plan for the areas undergoing reclamation.

The Monitoring and Management Plan for the Reclamation Process shall include:

- a) Detailed reclamation plans submitted for each phase of the reclamation process for review and recommendation by the Planning Staff and approval by the County Commission. The reclamation plan for the existing quarry shall be submitted prior to commencement of operations on Cuts #1-4 shown on the plan. The reclamation plan for Cuts #1-4 shall be submitted prior to opening of quarrying activities in "Future Reserves", and each subsequent reclamation plan shall be submitted prior to the opening of the following phase of quarrying activity. The property shall be reclaimed to a state similar to the existing state (or better) with reference to general topography, percent slope, and plant and animal life supported by the established ecosystem. The plan shall be reviewed by the LDCPC for recommendation to the BCC for their approval.
- b) A performance bond in the amount required by applicable Kansas statutes with sufficient sureties shall be secured to cover reclamation activities for the existing site and proposed Cuts #1-4 as designated on the site plan and shall be filed with the Kansas State Conservation Commission (KSCC) prior to the commencement of any site preparation activities or any other work being done pursuant to the CUP. This performance bond shall remain in place for the entire life of the permit and shall not be subject to release until the plant site has been fully reclaimed and certification thereof shall have been made by the KSCC. The performance bond must meet the standards and statutes of the State of Kansas.

No more than 30 acres may be open, mined and extracted from at any one time on the quarry site, exclusive of the plant site. No more than 10 acres shall be open, mined and extracted from in a subsequent phase until reclamation is complete on the previous phase.

X. Drainage Study

Prior to work progressing in each phase of the quarrying operation, a detailed grading plan showing site runoff and its relationship to the adjoining properties shall be submitted to the Planning Office for review and approval prior to work progressing in each phase.

XI. Site Access and Road Restrictions

- a) No direct access to County Road E 2400 shall be allowed.
- b) The access to the site for transport truck traffic and hauling of rock shall be restricted to N 1200 Road.
- c) The route for truck traffic heading out of the site will be west on N 1200 Road to County Route 1061.
- d) Applicant shall provide rock, culvert pipes, and construction assistance to Eudora Township and Douglas County to improve N 1200 Road from E 2400 Road to County Road 1061 in conformance with requirements of Eudora Township and Douglas County Public Works Department.
 - i. The improvements required include replacement of four culverts according to Douglas County Public Works specifications and improvement of the road base and surface to a minimum width of 24 feet.
 - ii. Applicant shall pay Douglas County for costs of acquiring any additional right-of-way needed for the roadway and culvert improvements.
 - iii. Required road improvements shall be completed prior to any rock being extracted from the new permitted property.
 - iv. Applicant shall periodically supply rock and dust control for maintenance of the township road during periods of quarry activity.
 - v. Applicant shall pay Douglas County a fee of 10 cents per ton of rock hauled from the permitted property. The fee per ton amount will be indexed every year based on the Consumer Price Index for all urban consumers-all items. Funds from the fee shall be deposited by Douglas County in an account to be used by Public Works to assist in the maintenance of County Roads used by trucks hauling rock from the quarry.

- e) Restrictions which shall be posted at the entrance to the plant, regarding vehicles hauling from the site, are to include:
 - i) no flat bed trucks without sides or tailgates;
 - ii) tailgates in place and upright position; and
 - iii) all trucks leaving the site must be covered by a secure tarp.
- f) Hamm Quarries shall be responsible for spillage and clean up of aggregate within one mile of the plant site. The failure by the applicant to clean up spilled aggregate of such roads within a reasonable period of time shall be grounds for action under the Inspection/Violation/Revocation.
- g) Weight limitations shall be posted on appropriate roads adjacent to the quarry.
- h) Hamm Quarries shall take the lead to communicate and cooperate with the Douglas County Public Works Director and Eudora city and school officials on traffic controls on County Road during periods of quarry activity.

XII. Noise and Light Pollution

Vehicles used in plant operation (extraction and production) after 5:30 p.m. ½ hour prior to sunset shall be equipped with a strobe light in addition to the back-up (audible) signal alarm. During hours when it is permissible to use only a strobe light, the audible signal shall be turned off.

Permanent outdoor lighting at the plant area, mining area, and haul roads shall be shielded and directed down with a solid screen to prevent light pollution beyond the site boundaries. Lighting is restricted to low pressure sodium.

XIII. Permit Attached to Operator

A change in the quarry operator shall require the Conditional Use Permit to come back to the Planning Commission for review and to the County Commission for re-approval.

XIV. Inspection/Violation/Revocation

The Douglas County Commission, or the appointed representatives thereof, shall have the right, without advance notice, to enter the premises and inspect any aspect of the quarry operation for compliance with the conditions of this permit. Upon entering the premises, the County shall first request an escort by the applicant's representatives. If no escort is available, the inspection may proceed immediately.

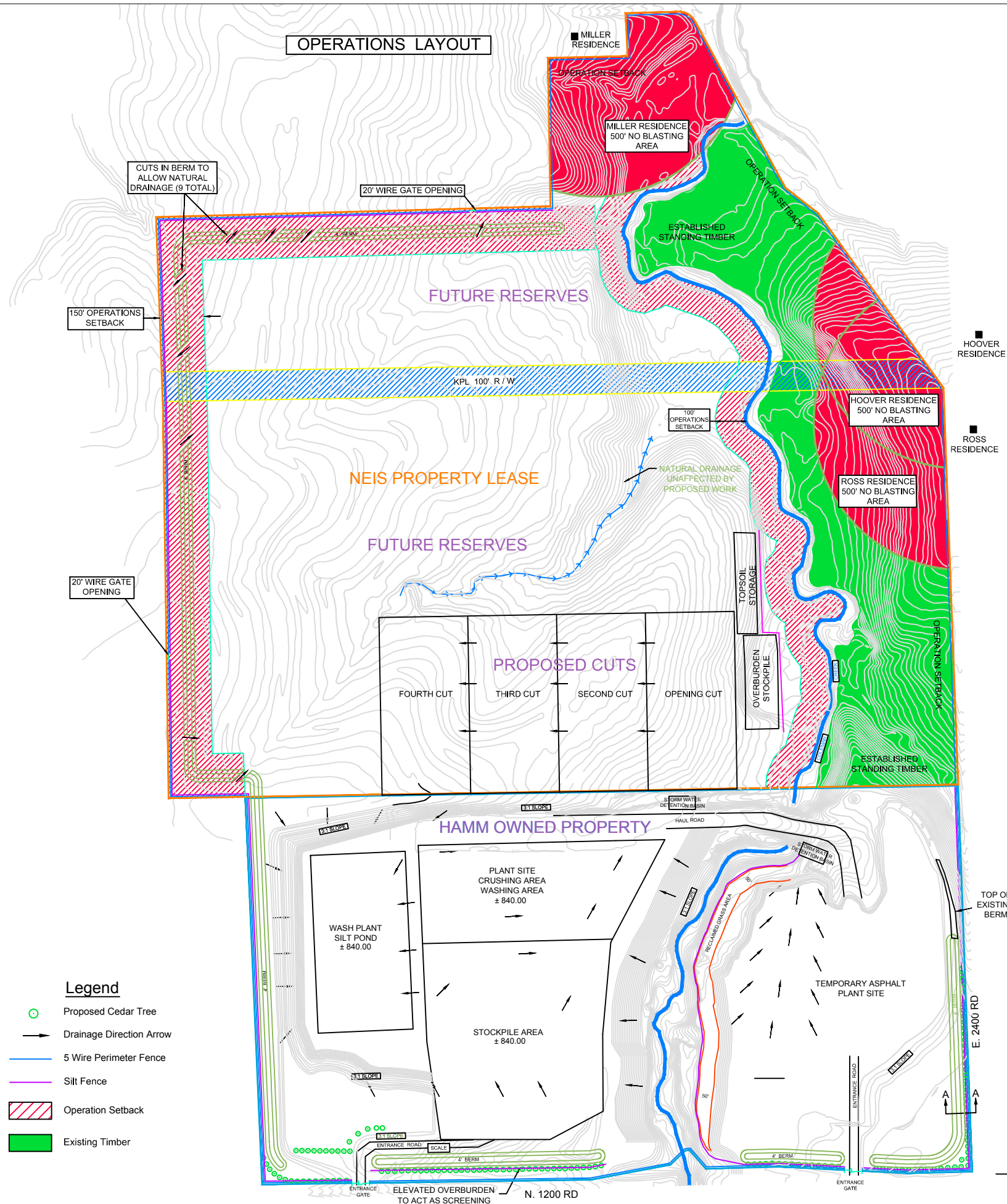
The Conditional Use Permit and all conditions attached thereto will be reviewed by the Planning Office and a report forwarded to the County Commission every five (5) years. The applicant will provide a report setting out quarry operations over the five year period and certifying compliance with the Conditions of Approval and Restrictions of Use.

At the times of such review, the County Commission shall review all conditions and Hamm Quarry's compliance therewith. If the County Commission finds that Hamm Quarries has failed to abide by any conditions listed in this document, the Commission may, after such appropriate notice to comply and opportunity to correct non-compliance within a reasonable time prior to taking action on permit revocation, revoke the Conditional Use Permit.

For the first five year review, Hamm Quarries shall provide a property ownership list to the Planning Office which will notice property owners within 1000 feet of the property of the Commission's review process. The Conditional Use Permit will expire in 2033 (30-year time limit), after which the owner/applicant shall be required to seek approval through a new CUP approval procedure.

XV. Applicant/Hamm Quarries

Throughout these Restrictions of Use, the terms Applicant, applicant, Hamm, Hamm Quarries, and similar designations are used interchangeably. All such terms shall refer to N.R. Hamm Quarry, Inc. and its successors and permitted assigns.



Legal Description

The North 1/2 of the Southeast 1/4 (N 1/2 of SE 1/4) and the South 49 acres of the Northeast 1/4 Section 15, Township 13 South, Range 21 East. Containing 129 Acres (more or less)

Legally described as follows: The North Half of the Southeast Quarter of Section 15, Township 13 South, Range 21 East in Douglas County; The South Half of the Southwest Quarter of the Northeast Quarter of Section 15; All of the Southeast Quarter of the Northeast Quarter of Section 15, LESS that part of the East side thereof comprising about ten (10) acres conveyed by Levi Woodard and Sarah A. Woodard, his wife, to Henry S. Crumrine on March 18, 1867, subsequently described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 15, Township 13 South, Range 21 East; thence North 43 1/2 degrees West 14.47 Chains; thence North 3 1/2 degrees West 5 Chains; thence North 40 1/2 degrees East 3 Chains; thence North 60 degrees East 2.43 Chains; thence East on the Quarter Section line 4.44 Chains to the Section line; thence South on the Section line 80 rods to place of beginning; and LESS the following, containing one acre, more or less; Beginning at a point in the Northwest corner of the West Three-Fourths of the Southeast Quarter of the Northeast Quarter of said Section 15; thence running South Ten (10) rods; thence East Sixteen (16) rods; thence North Ten (10) rods; thence West Sixteen (16) rods to the place of beginning.

1. Quarry operations on this site shall consist of only the following:

- a. Removal of overburden and the extraction and processing of limestone utilizing a portable plant and equipment;
- b. Stockpiling of topsoil, overburden, and limestone;
- c. Transportation and hauling of limestone and materials;
- d. Reclamation of the site;
- e. Blasting operations.

2. No more than 30 acres may be open, mined, and extracted from at any one time on the quarry site, exclusive of the plant site. No more than 10 acres shall be open, mined, and extracted from in a subsequent phase until reclamation is complete on the previous phase.

3. Hours of operation:

- a. Removal of materials from site: 6 AM to 9 PM, Mon. - Sat.;
- b. Production and extraction: 7 AM to 5 PM, Mon. - Sat.;
- c. Blasting: Blasting shall be conducted between noon and 2 PM to the maximum extent possible and allowable by weather and atmospheric conditions.
 - 1. Blasting between 10 AM and noon and 2 PM and 4 PM shall be allowed occasionally to allow for weather and other conditions for efficient operation of the quarry.
 - 2. Blasting from 8 AM to 10 AM and 4 PM and 5 PM shall be permitted only in those circumstances when conditions during other allowable periods are unfavorable.

d. No quarry operations shall take place on the following holidays or the days on which such holidays are observed by Kansas State Government: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the day immediately following Thanksgiving Day, and Christmas Day.

e. If production demand requires additional production and extraction time outside the normal schedule, application for specific additional hours of operation for a specified period may be requested to the County Commission. Additional hours of operation for limited periods must be approved by the County Commission.

7. Quarrying and reclamation will occur sequentially. The topsoil from the first cut, and as needed from the second cut, will be used in the construction of the perimeter berms along the west and north property lines. The topsoil not used in the construction of the berms from the 2nd cut will be stockpiled as well as the overburden and inter-burden from cut 1. Overburden and inter-burden from cut 2 will be used in reclamation of cut 1 area. The topsoil from cut 3 will be used to cover reclaimed area of cut 1. This process will continue as additional cuts are mined.

Refer to the operation and reclamation report for more detailed operations information.

Revisions

No.	Date	Description



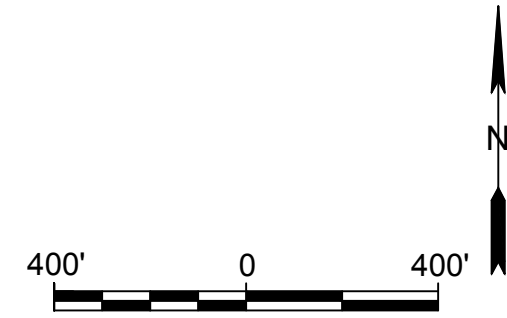
Date: 04/07/2014 Drawn By: CN

Designed By: Checked By: JS

Sheet Title:
Operations Report, Q#68

Sheet Number:
1 OF 2

File: Quarries\Eudora\Hamm Quarry\Future Reclamation Map.dwg



Note: Contours used to develop this map are obtained from Douglas County GIS Dept. Contours flown 2007.



2014

**Eudora Neis Property CUP Requirements
Douglas, County CUP -12-16-02**

Hamm Quarries

609 Perry Place
PO Box 17
Perry, KS 66073



Eudora Neis property CUP requirements CUP -12-16-02; Eudora Quarry # 68 Restrictions of Use

The North ½ of the Southeast ¼ (N ½ of SE ¼) and the South 49 acres of the Northeast ¼ Section 15, Township 13 South, Range 21 East. Containing 129 Acres (more or less)

Legally described as follows: The North Half of the Southeast Quarter of Section 15, Township 13 South, Range 21 East in Douglas County; The South Half of the Southwest Quarter of the Northeast Quarter of Section 15; All of the Southeast Quarter of the Northeast Quarter of Section 15, LESS that part of the East side thereof comprising about ten (10) acres conveyed by Levi Woodard and Sarah A. Woodard, his wife, to Henry S. Crumrine on March 18, 1867, subsequently described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 15, Township 13 South, Range 21 East; thence North 43 ¼ degrees West 14.47 Chains; thence North 3 ¼ degrees West 5 Chains; thence North 40 ½ degrees East 3 Chains; thence North 60 degrees East 2.43 Chains; thence East on the Quarter Section line 4.44 Chains to the Section line; thence South on the Section line 80 rods to place of beginning; and LESS the following, containing one acre, more or less; Beginning at a point in the Northwest corner of the West Three-Fourths of the Southeast Quarter of the Northeast Quarter of said Section 15; thence running South Ten (10) rods; thence East Sixteen (16) rods; thence North Ten (10) rods; thence West Sixteen (16) rods to the place of beginning.

Location of this property: One mile South, and Two mile East of Eudora, Kansas (East 2400 Road & North 1200 Road) Douglas, County, Kansas.

The following conditions are Restrictions of Use in regard to CUP-12-16-02 approved by Douglas County Board of Commissioners Sept. 02 2009 for which Hamm Inc. will operate a quarry operation.



Exhibits

Exhibit – A – Location map

Exhibit – B – Fencing plan

Exhibit – C – Hamm road responsibility

Exhibit – D – Hamm completion letter of road improvements

Exhibit – E - Original site plan approved 7/08/08

Exhibit – F - Original boundary and setback map

Exhibit - G – Pre-blast survey and initial blast monitoring

Exhibit – H – Revised operations map

Exhibit – I – Reclamation plan map

Exhibit – J – Signage

Exhibit – K – Reclamation Bond, Corporation Demonstration



THIS REPORT OF QUARRYING OPERATIONS IS SUBMITTED PURSUANT TO THE 5 YEAR REVIEW REQUIREMENT FOR

CUP 12-16-02, governing Hamm Eudora Quarry #68. Hamm 's quarry operations in the area were previously confined to an existing quarry immediately to the south of the CUP site, known as the Petefish Quarry (See Exhibit A). CUP 12-16-02 is conditioned upon reclamation activities at the Petefish Quarry. .Due to delays caused by pending litigation associated with CUP 12-16-02 which have now been resolved, Hamm is seeking approval to revise the sequence of cuts #1-4 and approval to incorporate a temporary asphalt plant site as proposed in the revised operational plan and depicted on enclosed detailed site map.

1. Hamm is requesting approval to change the location and sequence of cuts #1-4 based upon changes to the reclamation plan for the Petefish Quarry. The originally planned cut sequence is shown on mapping approved 7/8/08 by Douglas County Commission (See Exhibit E) and was based upon the conditions for reclamation at the Petefish Quarry in 2008. Since the time, ongoing quarrying activity at the Petefish Quarry has caused the reclamation plan to change, and so to the preferred location and sequence of cuts proposed in the CUP. The current operation map depicts the revised sequence for cuts #1-4 and the plan for reclamation.
2. Hamm is also requesting that the reclamation plan for east of Coleman Creek in the area of the existing stockpile location on the Petefish Quarry incorporate a five acre intermittent and temporary use portable asphalt plant. This five acre area would be limited in use to temporary asphalt production and use as an asphalt materials stockpile area. No quarry operations would take place in this area. Reclamation of the area surrounding the temporary plant would be completed with all slopes filled and graded to no greater than 3 to 1. Reclamation along the east side of Coleman Creek adjacent to current stockpile area will include a 50 feet wide reclaimed grassed area, graded to slope away from creek.

The asphalt plant will include construction of a berm that will provide screening from public roadway, extending from the current berm on 2400 road, south approximately 700 feet to the intersection, then west on 1200 Rd. The current entrance gate would be relocated west approximately 200 feet with the approval of Douglas Co. Public Works Director and Eudora Township. The berm would be uniformly constructed approximately four feet high and ten to fifteen feet wide. The berm along 2400 road and 1200 road will have a minimum setback of 15 feet inside the fence line. Cedar trees shall be a minimum height of 4feet tall and will be planted at the base of the newly constructed berm on 2400 road and the entire length of the berm along 1200 road with 20 foot spacing between trees. The berm will be seeded with landowner preferred or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall also be applied at 2 ton per acre and tracked down. Silt fence and or BMP's will be used to control soil erosion until grass is established. The current storm water detention pond would continue to be used.

In the event Hamm is not granted the right to incorporate temporary asphalt plant site, Hamm requests approval of the following reclamation activity: The area will be leveled, graded, and covered with top



soil. All slopes shall be constructed to no greater than 3 to 1. The entire area will be seeded with landowner preferred or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall be applied at 2 ton per acre and tracked down. Due to the minimal amount of acres, the property likely would be used for wildlife habitat. Silt fence and or BMP’s will be used to control soil erosion until grass is established.

Hours of Operations

Removal of materials 6 a.m. – 9 p.m. Mon.- Sat.

Production and extraction 7 a. m.- 5 p.m. Mon. - Sat.

No quarry operation shall take place on the following holidays or the days on which such holidays are observed by Kansas State Government. New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day and the day immediately following Thanksgiving Day and Christmas Day.

Additional production days

If production demands require additional production and extraction time outside the normal schedule, application for specific additional hours of operations for a specified period may be requested to the county commission. Additional hours of operation for limited periods must be approved by County Commission.

Blasting hours

Blasting will follow recognized standards of the industry. Blasting shall be conducted between noon and 2:00p.m. to the maximum extent possible and allowable by weather and atmospheric conditions. Blasting between 10:00 a.m. – noon and 2:00 p.m. – 4:00 p.m. shall be allowed occasionally to allow for weather and other conditions for efficient operations of the quarry. Blasting from 8:00 a.m. – 10:00 a.m. and 4:00 p.m. to 5:30 p.m. shall be permitted only in those circumstances when conditions during other allowable periods are not favorable.

Hamm Owned Property Screening Plan

Hamm will incorporate the use of berms and cedar trees to provide screening of quarry activities from 1200 and 2400 roads. Hamm shall construct a uniform berm along North 1200 and the south 700 feet of 2400 road. The purpose of the berms is to provide screening of quarry activities from the view of the roads. Stockpiled overburden in the southwest corner will be leveled, sloped and covered with top soil 15 cedar trees will be planted in uniform spacing of 20 feet intervals to provide additional screening. Berms will be constructed uniformly to a minimum height of 4 feet high and an overall width of ten to



15 feet. Berms will be constructed to not less than a 3 to 1 slope on the front and back. Berms will be seeded with landowner preferred or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall be applied at 2 ton per acre and tracked down. Berms shall not be constructed within 15 feet of perimeter fence. Cedar trees will be planted at the base of the berm with 20 feet spacing between trees. Cedar trees shall have a minimum height of 4 feet tall. Silt fence or BMP's will be used to control soil erosion.

Hamm Owned Relocated Quarry Entrance West of Coleman Creek

The relocated main quarry gate entrance will be installed approximately 300 feet east of the west Hamm property line with the approval of the Douglas County Public Works Director and Eudora Township. The entrance gates will provide a minimum opening of 40 foot wide and be secured and locked when quarry staff is not on site. Hamm will provide and install culvert piping to Douglas County Public works Director and Eudora Township requirements

Hamm Owned Property, Operations west of Coleman creek

Hamm owned property to the west of Coleman Creek will continue to be used for the duration of the CUP for plant site processes and stockpile area for material extracted from the Neis property. Phase one of the Reclamation Plan for west of Coleman Creek will relocate the quarry entrance gate and scales, and provide for screening of quarry operations. Reclamation of this area will be limited to creating berms and grading slopes. Berms will be seeded with landowner preferred or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall be applied at 25 ton per acre and tracked down. Phase two of the Reclamation Plan for Hamm owned Property to the west of Coleman Creek will include final reclamation as described in the detail below.

Hamm Owned Final Reclamation Plan west side of Coleman Creek

The final Reclamation Plan on Hamm owned property west of Coleman Creek will begin once quarry operations cease on the neighboring property. The elevated fill from current plant site, stockpile area and elevated overburden stockpiled in the southwest corner will be used to fill and construct to no greater than 3 to 1 slopes on the east, west and south quarried areas. The north side slope will be incorporated into reclamation of the Neis property. A pond will be incorporated into reclamation in the northwest half of Hamm owned property. Stockpiled top soil and top soil from current berms will be used to cover the reclaimed area and seeded with landowner preferred or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall be applied a 2 ton per acre and tracked down. Operations mapping depict anticipated contours and the location of pond area. Silt fence or BMP's will be used to control soil erosion. Operations plan depict estimated contour and grading plan for site runoff. The final reclamation and seeding will provide habitat suitable for wildlife and livestock production



Neis Property

Neis Property Operations Setbacks

Operations setbacks vary around the perimeter of the site based on the submitted site plan. The required setbacks are:

No Blasting Area setbacks of 500 feet from three existing residences shown on site plan.

Operation Setback of 150 feet from the property lines on the north, west and south shown on operation plan.

Operation Setback of 100 feet from the west side of the Coleman creek a tributary running through the site.

There will be no quarry operations east of Coleman creek the tributary running through the site.

Drainage Study

The operation mapping provides for natural drainage to be unaffected by proposed work. Berms that could impede flow of runoff shall be constructed with 45 degree cuts thru the berm. This method would still providing screening without impeding natural runoff flow.

Neis Property Erosion Control

Hamm will use BMPs to prevent erosion during construction until grass is established. Silt fencing will be the primary erosion control but with projects being somewhat design built could use a combination of silt fence, rock checks, and biolog in erosion control.

Neis Property Fencing plan

Hamm has built a new fence along the west, north and south property line and repaired the east fence line along 2400 road. The entire property has new or repaired five wire barb wire fence to prevent unauthorized entry. There are two gates one to the west and one to the north to provide ingress and egress for landowner. Gates will be secured and locked with padlock and opened only for landowner access.

Neis Property Screening Plan

Hamm will construct a berm along the west, north and south property line. The natural elevation will enhance screening from the west and north. There are no plans to plant cedar trees for additional screening. There will be two openings in berms one to the west and one to the north to provide ingress



and egress for landowner. Berms will be constructed in the one hundred and fifty foot setback of property line. Berms will be positioned to not to impede natural flow of storm water runoff. Berms will be constructed with top soil from cuts #1 and 2. Berms will be seeded with landowner preferred or K-31 fescue applied at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall be applied at 2 ton per acre and tracked down. Berms shall not be constructed within 15 feet of perimeter fence. There shall be no quarry activity east side of Coleman creek. Quarry operations will be screened from the east due to the thick established standing timber providing screening. Silt fence or BMP's will be used to control soil erosion. Operations plan shows anticipated contour and grading plan for site storm water runoff.

Neis Property Quarrying and reclamation will occur sequentially

The top soil from cut #1 and as needed from cut #2 to be used in construction of the perimeter berms along the west, north and south property lines. The topsoil not used in the construction of berms from cut #2 will be stockpiled as well as the overburden and inter burden from cut #1 will also be stockpiled as shown on operations mapping. Overburden and inter burden from cut #2 will be used in reclamation of cut #1. The topsoil from cut #3 will be used to cover reclaimed area of cut #1. This process will be continued as additional cuts are mined. Stockpiled overburden and inter burden will be used in reclamation of the final mined cut. Stockpiled top soil and top soil from berms will be used in final reclamation and will be seeded with landowner preferred or K-31 fescue at 150 pounds per acre and annual rye at 25 pounds per acre. Prairie hay or straw mulch shall be applied at 2 ton per acre and tracked down. Currently there are no plans to develop waters features within the reclamation of cuts #1 - 4. The final reclamation will consist of all slopes graded to no greater than 3 to 1. Stockpiled overburden and stockpiled top soil will be seeded to prevent erosion. Silt fence or BMP's will be used to control soil erosion until grass is established. Hamm will maintain 100 feet set back along the west side of Coleman Creek. There will be no quarry activity east of Coleman Creek. The current storm water detention pond located on Hamm owned property and shown on operations mapping will continued to be used. The reclamation will incorporate grass for livestock production and or hay pasture.

Reclamation Bond

Hamm will provide a propose reclamation plan for Hamm owned property of which has been mined and a security bond to cover reclamation cost for Hamm owned property. Attached is a letter from the Kansas Department of Agriculture Mined Land Reclamation Program stating that Hamm has Reclamation Bond covering acres of disturbed land.

Westar Transmission Power Line

A Westar transmission line runs through the northern half of the property from east to west. Westar has a 100 foot easement, 50 feet from the center of poles. At this current time Hamm will not perform any



operations other than constructing a road through the 100 foot easement to gain access to the reserves north of transmission line. Should Hamm request approval from Westar to mine in the 100 foot easement. Hamm will notify Douglas County Planning Office prior to any activity.

Designated Township haul route

The designated township haul route shall be restricted to west on N 1200 road to County Route 1061.

North 1200 Haul Road Improvements

All conditions have been met and approved by Douglas County Public Works Office for Improvements on North 1200 road. Attached is a copy of completed construction letter from Douglas County Public Works also on record with Douglas Co.

Township road maintenance

Hamm shall periodically supply rock and dust control for maintenance of N 1200 township road to Douglas County 1061 during periods of quarry activity.

County road fee

Hamm shall pay Douglas County a fee of 10 cents per ton for rock hauled from the permitted property. The fee per ton amount will be indexed every year based on the Consumer Price Index for all urban consumers-all items. Funds from the fee shall be deposited by Douglas County in an account to be used by Public Works to assist in the maintenance of County Roads used by trucks hauling rock from the quarry.

Regulatory Permits

Currently all crushing operations and stockpiling and weighing activities will be performed on Hamm owned property. Explosive storage is currently located on Hamm owned property. Hamm will provide at county's request a copy of all required permits and or Bonds for future operations.

Pre-blast Survey and Blast Monitoring

Attached is a letter stating that Hamm has commissioned Vibra-Tech to perform pre-blast surveys for residents within one half mile radius of the Neis property under lease with Hamm Inc. Vibra-Tech will also provide seismograph's and monitor the initial blast at all residents within one half mile of initial blast location. Vibra-Tech will provide their professional advice in the placement and the monitoring of seismograph once continuous blasting begins. Vibra-Tech will provide a monthly analyzes of all blasting for inspection at Hamm's office.



Hydrologic Study

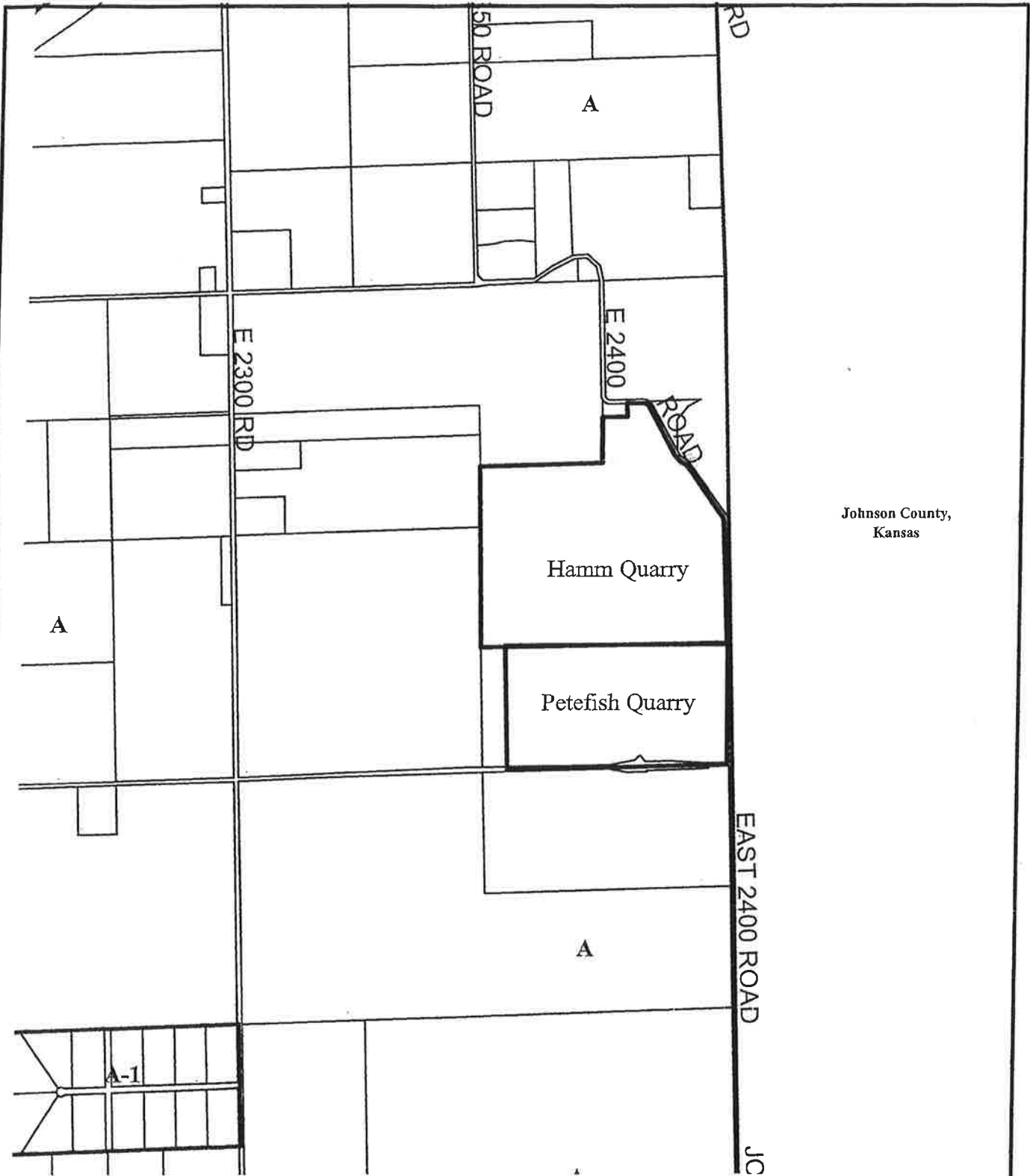
A pre-blast survey of springs was conducted by Quad States Services Inc. Attached is a copy of the survey as well on record with Douglas Co.

Estimated Volumes

Volumes will vary from year to year due to the market demand. Hamm estimates volumes between 250,000 and 600,000 ton annually.

Communication with Pubic Officials

Once commencement of operations begins on The Neis property, Hamm will communicate with Douglas Co. Public Works Director, Eudora City, and School officials on traffic controls on County roads during quarry activity.



Johnson County,
Kansas

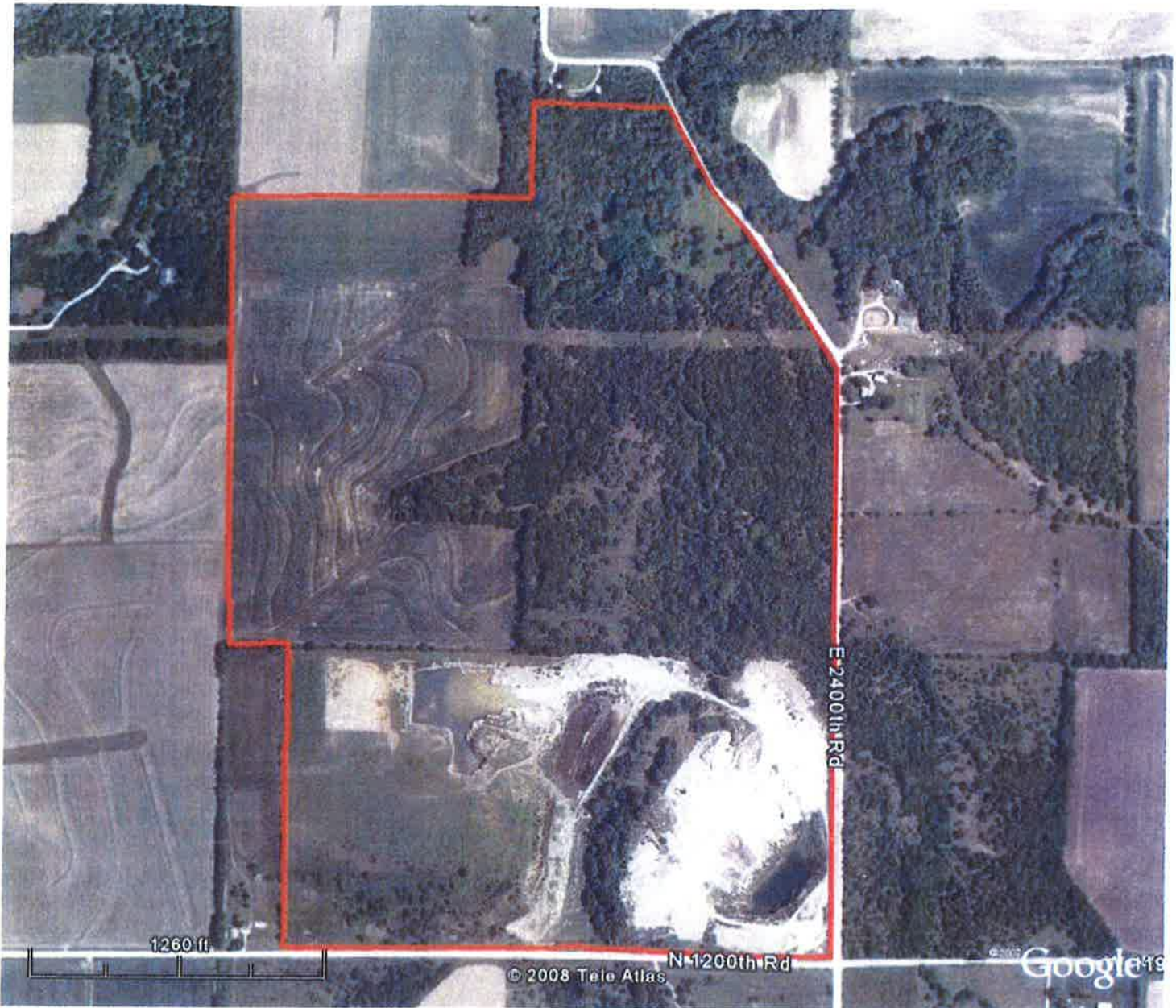
Exhibit A

Lawrence-Douglas County Planning Office

June 30, 2003

Area Requested.

Scale: 1 Inch = 1500 Feet



The existing quarry located to the south of the newly permitted quarry is fenced with five-strand barbed wire and steel posts on the West, South, and East sides. The North side has been left open to allow free access to the newly permitted quarry. The new site will have a five-strand barbed wire fence with steel posts. The new fence will encompass the entire site on all sides (excluding the south which adjoins the existing site) and connect to the existing fence on the south property providing a closed boundary around the entire quarry area. At this time there are no plans to install any new gates but a gate could be installed if access was deemed necessary at a later date. At present time the main gate is located at the southeast corner of the existing site.

Exhibit B



QUARRIES
CONSTRUCTION
ASPHALT
WASTE MANAGEMENT

609 Perry Place
PO Box 17
Perry, KS 66073-0017
Telephone 785-597-5111
FAX 785-597-5117

September 12, 2008

Keith Browning, P.E.
Douglas County Public Works
1242 Massachusetts
Lawrence, Kansas 66044



Re: Eudora Quarry Road
Hamm Responsibilities

Dear Keith:

Listed below is the summary of the work Hamm will do in upgrading 1220N road for the Eudora Quarry after our meeting last Wednesday with you and Craig Weinaug.

- 1) Remove the existing cross road pipes, furnish and install new cross road pipes, grade roadway widening at the pipe locations.
- 2) Widen the roadway and cul new ditches as shown on the plans prepared by Douglas County.
- 3) Place 8" of new AB-3 rock over the widened roadway areas.
- 4) Profile grade to the elevations shown on the plans over the new cross road pipes and place new AB-3 surfacing.
- 5) Place riprap at the end of the pipes as shown on the plans.
- 6) Place earth at the end of the pipe backfill so that grass will grow.
- 7) Do necessary surveying to install the pipes and build to profile grades.
- 8) Provide necessary traffic control to close the road during construction activities.

Items to be done by Eudora Township:

- 1) Furnish and install new entrance pipes.
- 2) Seed disturbed areas from the widening construction.

Note: No active construction inspection will be required by Douglas County. It will be Hamm's responsibility to insure proper construction of the work.

Exhibit C

We will advise Douglas County of when we plan to stage the pipe installation and for road closures. If you have any comments to the items above, please advise me.

Respectfully yours,

HAMM, INC.

A handwritten signature in cursive script that reads "Ronald J. Nadvornik".

Ronald J. Nadvornik, P.E.
Project Manager

Cc: Craig Weinaug
Dan Watkins
Keith Knabe



DOUGLAS COUNTY PUBLIC WORKS

1242 Massachusetts Street
Lawrence, KS 66044-3350
(785) 832-5293 Fax (785) 841-0943
dgcopubw@douglas-county.com
www.douglas-county.com

Keith A. Browning, P.E.
Director of Public Works/County Engineer

June 5, 2012

Mr. Pat Blosser
Hamm Companies
P.O. Box 17
Perry, Kansas 66073-0017

RE: Project No. 2007-9
N 1200 Rd, E 2200 Rd to E 2400 Rd
Road Reconstruction
Substantial Completion

Dear Mr. Blosser:

Hamm Companies has satisfactorily completed construction of the three culvert replacements and road widening on N 1200 Rd between E 2200 Rd and E 2400 Rd. All disturbed areas have been temporary hydro-seeded.

Per the KDOT specification, after August 15, please plan on permanently seeding and mulching all disturbed areas so we can issue final acceptance of this project. If you have any questions, please feel free to call me at 785-832-5293.

Yours very truly,

Keith A. Browning, P.E.
Director of Public Works/County Engineer

By: Terese A. Gorman, P.E.
Engineering Division Manager

KAB:TAG:lsb

cc: Nolan Packard, Douglas County Public Works
Glenda Melanson, Douglas County Public Works

Exhibit D

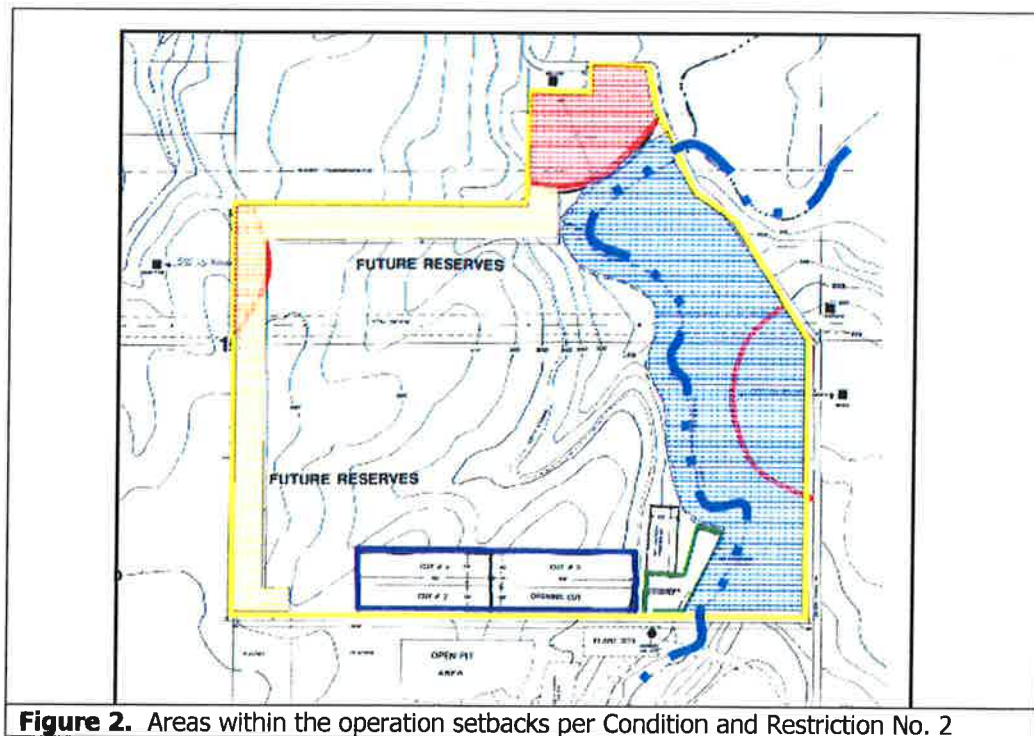


Exhibit F



603 N. Jefferson Street
Florissant, MO 63031

Phone 314.837.7182
Fax 314.837.0450

February 7, 2014

Mr. John Strome
Hamm, Inc.
609 Perry Place
Perry, KS 66073

Re: Eudora, KS Quarry Project
Eudora Kansas

Dear Mr. Strome:

The following outlines the scope of work to be provided by Vibra-Tech Engineers, Inc. for the expansion of N.R. Hamm's Eudora, Kansas Quarry.

PRE-BLAST CONDITION SURVEYS

Vibra-Tech Engineers, Inc. will perform condition surveys of properties within a ½ mile radius of the newly permitted mine area for N.R. Hamm, Inc. at their Eudora, Kansas quarry. The condition surveys will be conducted as described below at the following properties:

1. Robert Miller – 2352 N. 1200 Road – 1 residence & 1 storage-bldg
2. Alvis Shelton – 1258 E. 2300 Road – 1 residence & 1 storage-bldg
3. Katherine Neis – 1232 E. 2300 Road – 1 residence & 9 storage-bldgs
4. Randall Luther – 1277 E. 2400 Road – 2 residences & 1 storage bldgs
5. Larry Beers – 40395 W. 119 Street – 1 residence & 7 storage-bldgs
6. Chris Ross – 11515 County Line Road – 1 residence & 2 storage-bldgs
7. Danny Hoover – 11499 County Line Road - 1 residence & 1 storage-bldg
8. ? #1 - Unidentified property address – (1260-1270?) E. 2300 Road - 1 residence & 2 storage-bldgs (see attached Google Earth image)
9. ? #2 - Unidentified property address – (1270-1280?) E. 2300 Road - 1 residence & 1 storage-bldg (see attached Google Earth image)

Vibra-Tech will make a good faith effort to inspect all selected structures. However, due to refused entry and other factors, we cannot guarantee that all structures will be inspected. Pre-printed acknowledgement letters granting permission for inspections will be given to owners to sign. In the event that a property owner denies access or does not respond to notifications, documentation of all correspondence will be made, including certified mail.

Our method of documentation includes **audio** of interior conditions and defects, supplemented with **digital photographs**. The survey is performed room by room and wall by wall. Exterior conditions and defects are documented by digital photographs, including a **photo mosaic**. Property owners will be given one copy of the digital audio and photo data from the inspection.

Exhibit G

SEISMIC MONITORING

Onsite Monitoring

A representative of Vibra-Tech Engineers, Inc. will be present onsite to monitor the ground vibrations and air overpressures produced by the first blast detonated at the newly permitted area. Onsite monitoring will be conducted at the four (4) properties listed below.

1. Robert Miller – 2352 N. 1200 Road
2. Alvis Shelton – 1258 E. 2300 Road
3. Chris Ross – 11515 County Line Road
4. Danny Hoover – 11499 County Line Road

At the conclusion of the initial blast, all seismic records contained in a written report will be submitted to N. R. Hamm.

Re:mote™ Seismic Monitoring

For ongoing blasting operations, Vibra-Tech will act as a third-party vibration monitoring consultant. A Re:mote™ seismic monitoring station will be installed at the uncontrolled structure nearest to the blasting site. When ground motion from a blast (or any other source) exceeds a set trigger level, an event is recorded by the station and transmitted via GSM or satellite to a central location for analysis.

The data is then accessible to authorized users through our **Web Based Blast Data Management** system. This service provides quick access to blast data and analysis with instant posting to a password-encoded webpage. A photo of a typical monitoring station is shown below.



Re:mote™ Seismic Monitoring (cont'd)

Other features of the Re:mote™ monitoring system include:

- Setup and positioning of seismic station by a Vibra-Tech technician
- Training available to all system users
- Calibration and service of instrumentation
- All data downloads from the remote seismic station
- Data backup at four different Vibra-Tech locations
- Instant text or email messaging of seismic data and/or
- Instant email of full seismic records

Features of the Web-Based Data Management include:

- Password encoded webpage with multiple user access levels
- Shot-by-shot vibration analyses and archive verification
- Mapping of all blasts and recording locations
- Sorting, modeling, and trending of all data
- Written monthly report with data analyses (*if needed*)
- One (1) copy of all seismographic data archived on Digital Disc (*if needed*)

Please contact me if you require further information regarding Vibra-Tech's participation on this project.

Sincerely,
VIBRA-TECH ENGINEERS, INC.



Phyllis E. Hasser
Vice President



Google earth



Red Line 1/2 mile radius of Initial shot

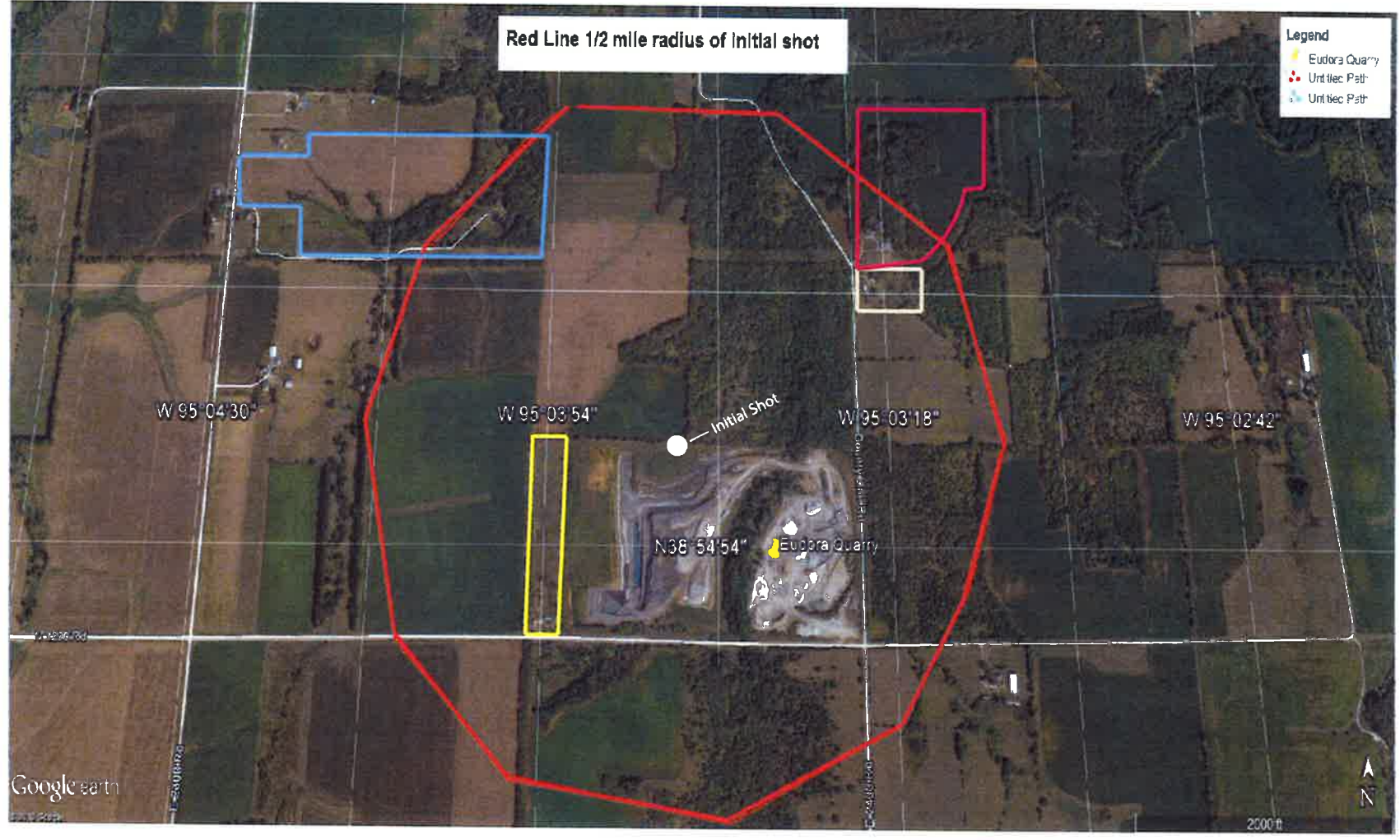
- Legend
- Eudora Quarry
 - Utility Path
 - Utility Path

Robert Miller
2352 N. 1200 Road
Eudora, KS

Alvis Shelton
1258 E. 2300 Road
Eudora, KS

Chris Ross
11515 County Line Road
Eudora, KS

Danny Hoover
11499 County Line Road
Eudora, KS



W 95° 04' 30"

W 95° 03' 54"

Initial Shot

W 95° 03' 18"

W 95° 02' 42"

N 38° 54' 54"

Eudora Quarry



Google earth







2000 ft

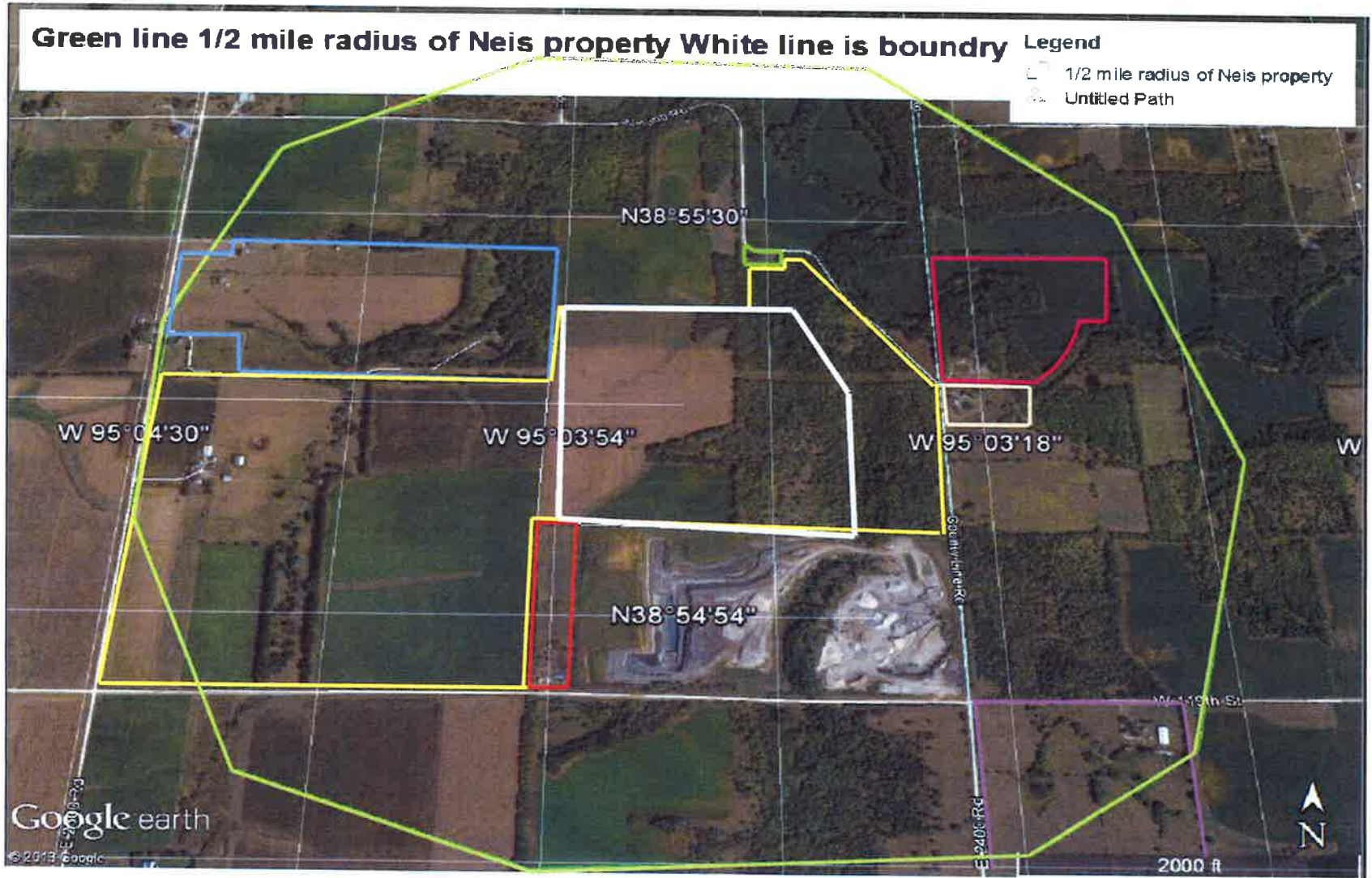


Green line 1/2 mile radius of Neis property White line is boundry

Legend

-  1/2 mile radius of Neis property
-  Untitled Path

-  Robert Miller
2352 N. 1200 Road
Eudora, KS
-  Alvis Shelton
1258 E. 2300 Road
Eudora, KS
-  Katherine Neis
1232 E. 2300 Road
Eudora, KS
-  Randall Luther
1277 E. 2400 Road
Eudora, KS
-  Larry Beers
40395 W. 119th Street
Eudora, KS
- Chris Ross
11515 County Line Road
Eudora, KS
-  Danny Hoover
11499 County Line Road
Eudora, KS



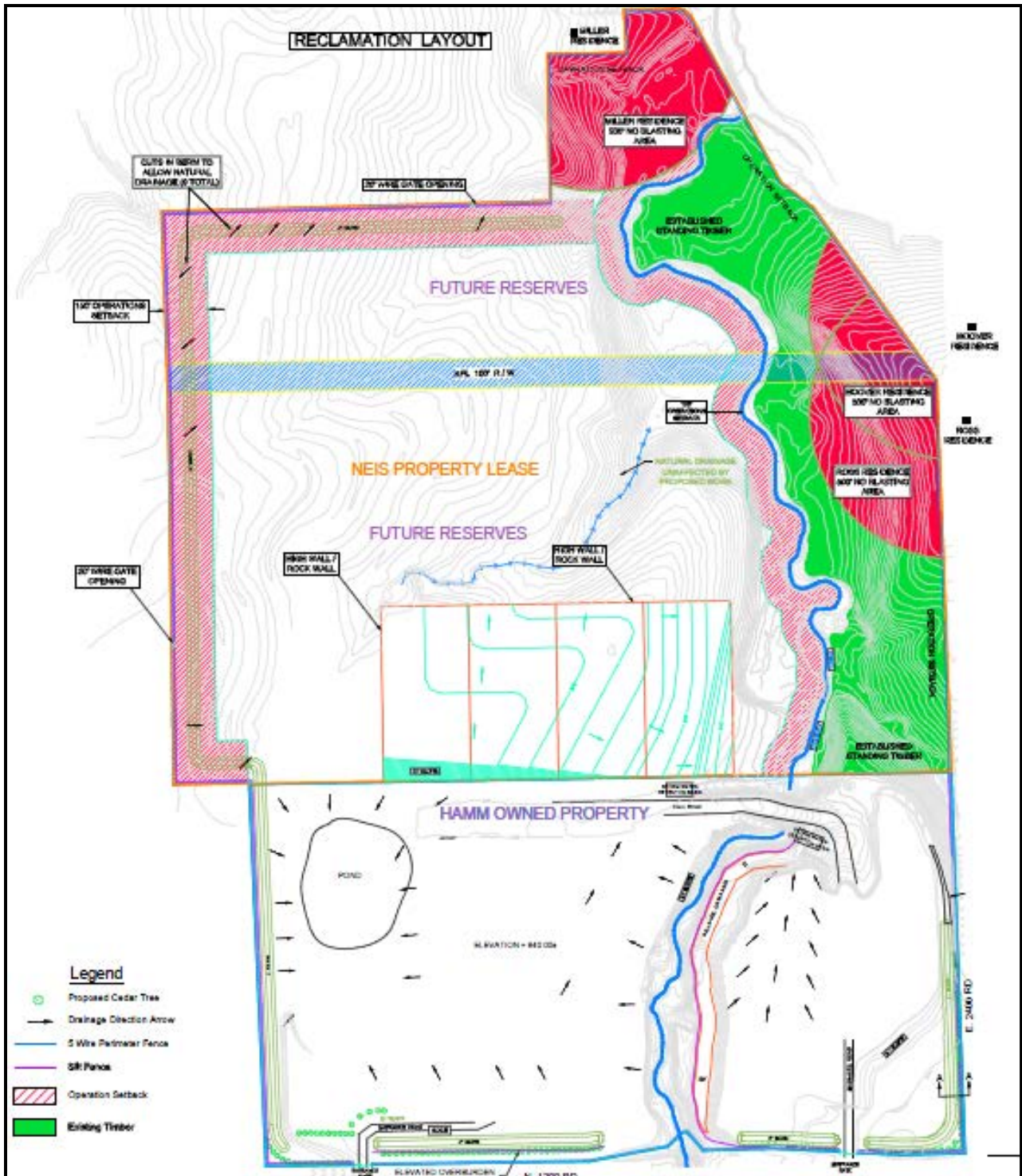


Exhibit I

Entrance Sign 4'x8' Exhibit J

HAMM

Eudoro Quarry #3

1213 E 2400th RD. 66025

785-542-3320

General Office
785-597-5111

Exhibit J

**NO
TRESPASSING
QUARRY
AREA**

PERMIT NUMBER (CUP-12-16-02)

**HAMM QUARRIES
1213 E. 2400 ROAD
EUDORA, KS 66025
785-597-5111**

BLASTING SIGNAL

- 1) 1 MINUTE HORN BLAST**
- 2) 15 SECOND PAUSE**
- 3) 15 SECOND HORN BLAST**
- 4) BLASTING OCCURS**

**NORMAL BLASTING HOURS
12:00 PM TO 2:00 PM**

Hours of Operation:

7:00 AM to 5:00 PM

Retail Loading Hours:

7:30 AM to 4:00 PM

HAULING REQUIREMENTS

**ALL LOADS MUST BE TARPED.
NO FLATBED TRUCKS WITHOUT
SIDES AND TAILGATES.**

**ALL TRUCKS MUST HAVE
TAILGATES IN UPRIGHT POSITION.**

*Exhibit 5
4x4'*

June 26, 2013

N R Hamm Quarries Inc.
Mr. Ramon Gonzalez
609 Perry Plaza
P O Box 17
Perry, KS 66073-0017

Dear Mr. ~~Gonzalez~~ *Ramon*:

We have received a replacement Reclamation Bond, Corporate Demonstration with Hamm, Inc. in the amount of \$2,196,000.00. This covers 3,660 acres on the sites you have registered.

Thank you for keeping your reclamation bond current, and please call at the number listed above if you have any questions.

Sincerely,

Scott B. Carlson
Mined Land Reclamation Program Manager

Cathy Thompson

Cathy Thompson
Administrative Specialist

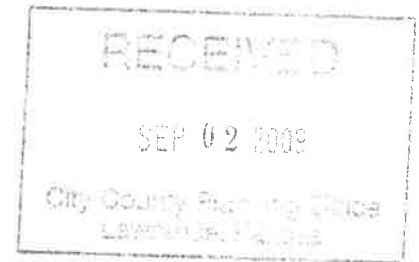
SBC:clt

Exhibit K

Att D

March 17, 2009

**Jeff Shamburg
Bartlett & West
1200 SW Executive Dr.
Topeka, KS 66615**



RE: Evaluation of springs on the Neis Property, near Eudora, KS

Quad State Services, Inc. (QSSI) has completed a study of springs located on the Neis property near Eudora, Kansas. The subject property is in a portion of the north half of Section 15, Township 13 South, Range 21 East. The purpose of this study was to locate, describe, and assess the current condition of groundwater discharge areas (springs) on the Neis property prior to expansion of the Hamm Quarry blast area.

The project began with a meeting at the project site on February 23, 2009. Present at the meeting were, Lloyd Hemphill (QSSI), Adra Burks (attorney representing the landowner, Arthur Neis), Daniel Watkins (attorney representing Hamm Quarry, Inc.), and Jim Bogner and Ramon Gonzalez (Hamm representatives). Representatives of Hamm Quarry, Inc. outlined the area planned for future quarry expansion. Ms. Burks explained that 11 potential springs and one well were previously identified by the landowner/representatives. All present parties participated in a tour to locate several of these features and to identify property boundaries. After the meeting concluded, Lloyd Hemphill continued to map additional springs and observe local geology. Lloyd Hemphill conducted a second field survey on March 11, 2009. Both of these surveys are discussed below.

Background Information

Kansan age glacial deposits and Newman Terrace deposits mantle the uplands on the Neis and adjacent properties. The glacial deposits consist of unconsolidated clay, silt, sand, and gravel carried by advancing glaciers. These deposits are unstratified and poorly sorted except where reworked by meltwater streams. The Newman Terrace consists of sediments deposited by the Kansas River and surrounding streams prior the Wisconsin Glacial Stage (after the Kansan Glacial Stage). In the Kansas River Valley, the Newman Terrace deposits consist of unconsolidated sediments that grade upward from cobbles through sand to clayey silt at the surface. (O'Connor, 1960)

Captain and Coleman Creeks and their tributaries have eroded through the unconsolidated sediment and cut into consolidated bedrock. The bedrock formation exposed within the study area is the Stanton limestone, which consists of three limestone and two shale members. The members are, from top to bottom, the South Bend Limestone, Rock Lake Shale, Stoner Limestone, Eudora Shale, and Captain Creek Limestone and are described below (O'Connor, 1960).

Exhibit L

SEP 02 2009
City-County Planning Office
Lawrence, Kansas

- The South Bend Limestone Member, is a fine grained to sandy gray limestone ranging from 1 to 4 feet in thickness.
- The Rock Lake Shale Member ranges from 10 to 15 feet in thickness with the upper portion consisting of gray to dark brown micaceous sandstone and the lower portion gray, blue, and green shale.
- The Stoner Limestone Member is light blue-gray wavy bedded limestone that ranges from 15 to 17 feet in thickness. This limestone forms the most prominent outcrops in the area.
- The Eudora Shale Member consists of gray shale in the upper portion and thin-bedded black shale in middle and lower portion. The total thickness of the Eudora Shale is 7 feet.
- The lowest member is the Captain Creek Limestone Member, which consists of gray or gray-blue limestone ranging in thickness from 6 to 7 feet thick. (O'Connor, 1960)

Predominantly, groundwater is stored in the unconsolidated sediments containing sand and gravel and the sandstone units of the Rock Lake Shale member, which are considered minor aquifers in Douglas County. Groundwater is stored in the pore spaces between sediment grains and is transmitted through sediments and rocks when these pore spaces are interconnected. Limestone formations generally do not transmit groundwater except where they contain fractures. Fractures are more numerous near the ground surface and are often enlarged by dissolution of the limestone as a part of natural chemical weathering. Clay and shale formations are relatively impermeable and transmit very little groundwater.

Several types of springs are observed in the study area, including channel springs, contact springs, depression springs, and fracture springs.

- Channel springs occur on the banks of a stream, which has cut a channel below the water table.
- Contact springs occur at an outcrop where less permeable layers underlie permeable material and retard or prevent the downward percolation of groundwater, deflecting it to the surface.
- Depression springs occur where water flows to the surface because the land surface extends to or below the water table.
- Fracture springs occur where water flows from relatively large openings (fractures and joints) in rocks. In some cases, stream channels and depressions may not extend below a traditional water table but instead intercept groundwater pathways, such as fractures, which may only contain water intermittently.

The main source of groundwater in the area is percolation of precipitation into permeable soil and unconsolidated sediments. This groundwater can move downward into the underlying bedrock where it is permeable and in contact with overlying permeable material. The bedrock is most permeable near the surface where it is weathered and contains more fractures and enlarged bedding planes. Streams are an additional source of recharge, when the water level in the stream is higher than the surrounding water table.



Field Surveys

Two field surveys of the property were made by QSSI. The first survey was conducted on February 23, 2009 following a relatively dry period to identify perennial springs, which flow continuously during all seasons. The second survey was completed on March 11, 2009 after a significant precipitation event to identify intermittent springs that flow only during wet periods. Prior to the field surveys completed by QSSI, the landowner identified 11 potential springs and one well, and displayed them on a boundary survey map prepared by BHC Rhodes Civil Engineers & Surveyors. QSSI designated the springs as S-1 through S-11 and the well as W-1 (Figure 1). These springs were inspected and the area was searched for additional springs.

The total precipitation 60 days prior to the first field survey was 1.97 inches, according to preliminary data recorded at a USGS weather station near De Soto, KS. The last precipitation event previous to this survey occurred between February 8, 2009 and February 11, 2009 (twelve days prior to the field survey) with 0.92 inches of rainfall. Five additional springs were located during this survey and were designated as S-12 through S-16. Other areas containing damp soil or fractures with small amounts of seepage were observed but only the most significant springs and seeps were described. The smaller seeps may not be significant individually, but cumulatively they are an important source of water feeding the streams in the area. Table 1 contains a description of the springs as observed on February 23, 2009. Many of the springs listed in Table 1 do not have an obvious point of origin but were considered springs because moisture or seepage was present even during a relatively dry period. Additional field notes are also attached to this document.

The second survey was conducted on March 11, 2009. In the period between the first and second survey, 1.88 inches of rainfall was recorded at the USGS weather station near De Soto, KS ending about one day prior to the field survey. An additional 1 to 3 inches of snowfall occurred on February 27 and February 28, but was not recorded by the weather station. In general, the streams on the Neis property contained more stream flow during the second survey, especially at the head of drainage areas. In part, the increased stream flow is explained by drainage from the shallow soil zone and from unconsolidated sediments, which were dry during the first survey. The change in spring flow between visits ranged from no increase to a threefold increase. One additional spring, designated as S-17, was observed and seepage was observed at S-15, which previously was dry. Many smaller seeps from outcrops and wet soils indicating seepage were observed during the second survey but individually they were not significant enough to list as springs. Table 2 contains observations made of springs during the second survey on March 11, 2009. Additional field notes are also attached to this document.



Conclusions

- Several different types and sources of springs are represented along the drainage areas on the Neis property.
- Unconsolidated Quaternary deposits are the source of spring discharge at the head of the drainage areas.
- Springs and seeps are found where sandy layers outcrop and at the contact between unconsolidated sediment and the underlying South Bend Limestone.
- Further downstream, springs and seeps are found where stream channels cut into the sandy upper portion of the Rock Lake shale and at the contact with the shale layers of the lower Rock Lake shale.
- In the lower stream reaches, groundwater discharges from fractures, joints, and bedding planes in the Stoner Limestone. These features are most common near the surface where they are enlarged by weathering processes.
- Non-weathered portions of the Stoner Limestone are likely much less permeable, thus the distance between recharge and discharge areas of the Stoner Limestone is relatively short.
- Some of the larger springs occur where the sub-cropping Eudora Shale interrupts the downward movement of groundwater in the Stoner Limestone and deflects it to the surface.
- Individually, the springs on the Neis property are relatively small, with estimated flows less than 5 gallons per minute. Cumulatively, however, they are an important source of water feeding the streams in the area.
- Following a period of precipitation, individual spring flow is increased at some springs but the number of large (intermittent) springs does not appear to increase significantly. However, the number of minor seeps does increase following a wet period.

Please do not hesitate to call if you have any questions or we can be of further service.

Respectfully Submitted,

Lloyd Hemphill
Hydrogeologist

W. Paul Selt
4/13/09
Lic # 508



References

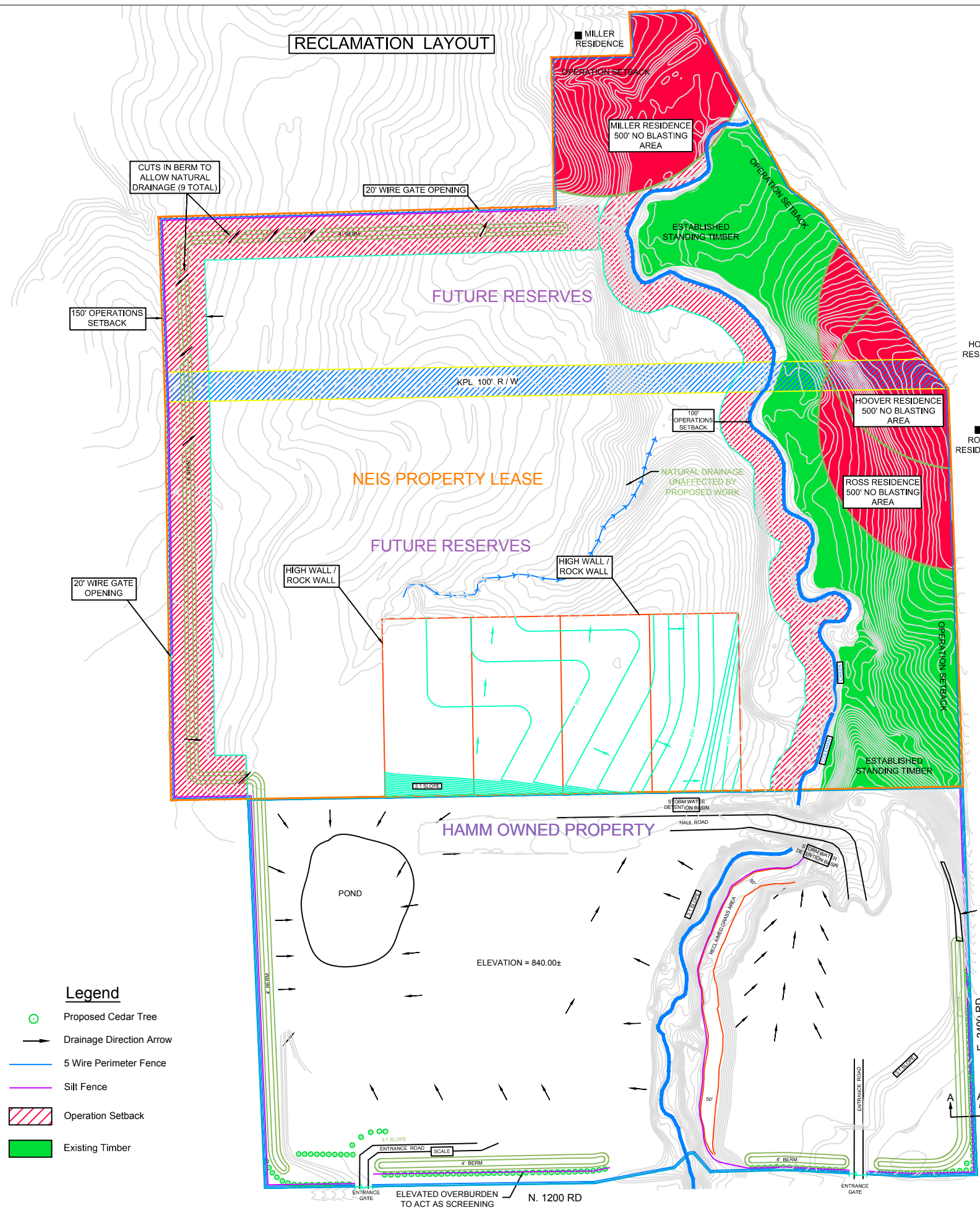
O'Connor, H.G., 1960, Geology and Groundwater Resources of Douglas County, KS. Kansas Geological Survey Bulletin 148. accessed from <http://www.kgs.ku.edu/General/Geology/Douglas/index.html> on 12/8/08

Rogers, B.G., Ingram, W.T., Pearl, E.H., and Welter, L. W., 1981, Water and Wastewater Control Engineering Glossary, 3rd Edition. American Public Health Association, American Society of Civil Engineers. American Water Works Association, Water Pollution Control Federation. 441 p.

USDA, 1973, Soil Survey of Douglas County, Kansas. United States Department of Agriculture Soil Conservation Service & Kansas Agricultural Experiment Station.

USGS Topographic Map. United States Geological Survey, accessed from <http://nationalmap.gov> on 12/8/08

USGS Real-Time Data For Kansas: Precipitation. Preliminary precipitation data from weather stations at the Lawrence Airport, Lawrence, KS and Kill Creek at 95th St near DeSoto, KS, accessed from http://waterdata.usgs.gov/ks/nwis/current/?type=precip&group_key=county_cd



Legal Description

The North 1/2 of the Southeast 1/4 (N 1/2 of SE 1/4) and the South 49 acres of the Northeast 1/4 Section 15, Township 13 South, Range 21 East. Containing 129 Acres (more or less)

Legally described as follows: The North Half of the Southeast Quarter of Section 15, Township 13 South, Range 21 East in Douglas County; The South Half of the Southwest Quarter of the Northeast Quarter of Section 15; All of the Southeast Quarter of the Northeast Quarter of Section 15, LESS that part of the East side thereof comprising about ten (10) acres conveyed by Levi Woodard and Sarah A. Woodard, his wife, to Henry S. Crumrine on March 18, 1867, subsequently described as follows: Commencing at the Southeast corner of the Northeast Quarter of Section 15, Township 13 South, Range 21 East; thence North 43 1/2 degrees West 14.47 Chains; thence North 3 1/2 degrees West 5 Chains; thence North 40 1/2 degrees East 3 Chains; thence North 60 degrees East 2.43 Chains; thence East on the Quarter Section line 4.44 Chains to the Section line; thence South on the Section line 80 rods to place of beginning; and LESS the following, containing one acre, more or less; Beginning at a point in the Northwest corner of the West Three-Fourths of the Southeast Quarter of the Northeast Quarter of said Section 15; thence running South Ten (10) rods; thence East Sixteen (16) rods; thence North Ten (10) rods; thence West Sixteen (16) rods to the place of beginning.

Quarrying and reclamation will occur sequentially. The topsoil from the first cut, and as needed from the second cut, will be used in the construction of the perimeter berms along the west and north property lines. The topsoil not used in the construction of the berms from the 2nd cut will be stockpiled as well as the overburden and inter-burden from cut 1. Overburden and inter-burden from cut 2 will be used in reclamation of cut 1 area. The topsoil from cut 3 will be used to cover reclaimed area of cut 1. This process will continue as additional cuts are mined.

Refer to the operation and reclamation report for more detailed operations information.

HAMM, INC.

609 Perry Place
Perry, Kansas 66073
(785) 597-5111 Fax: (785) 597-5117

ASPHALT
QUARRIES
CONSTRUCTION
WASTE MANAGEMENT

HAMM, INC.
NEIS QUARRY #68
OPERATIONS & RECLAMATION REPORT
EUDORA, KS

Revisions

No.	Date	Description



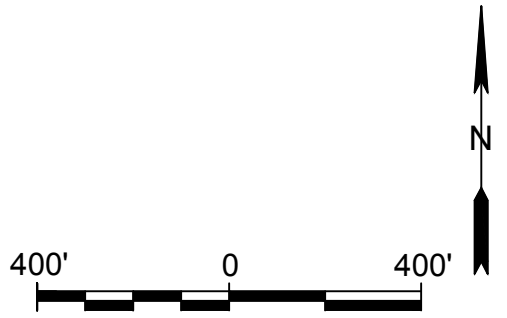
Date: 04/07/2014 Drawn By: CN

Designed By: Checked By: JS

Sheet Title: Reclamation Report, Q#68

Sheet Number: 2 OF 2

File: Quarries\Eudora\Hamm Quarry\Future Reclamation Map.dwg



Note: Contours used to develop this map are obtained from Douglas County GIS Dept. Contours flown 2007.



City of Lawrence
Douglas County
PLANNING & DEVELOPMENT SERVICES

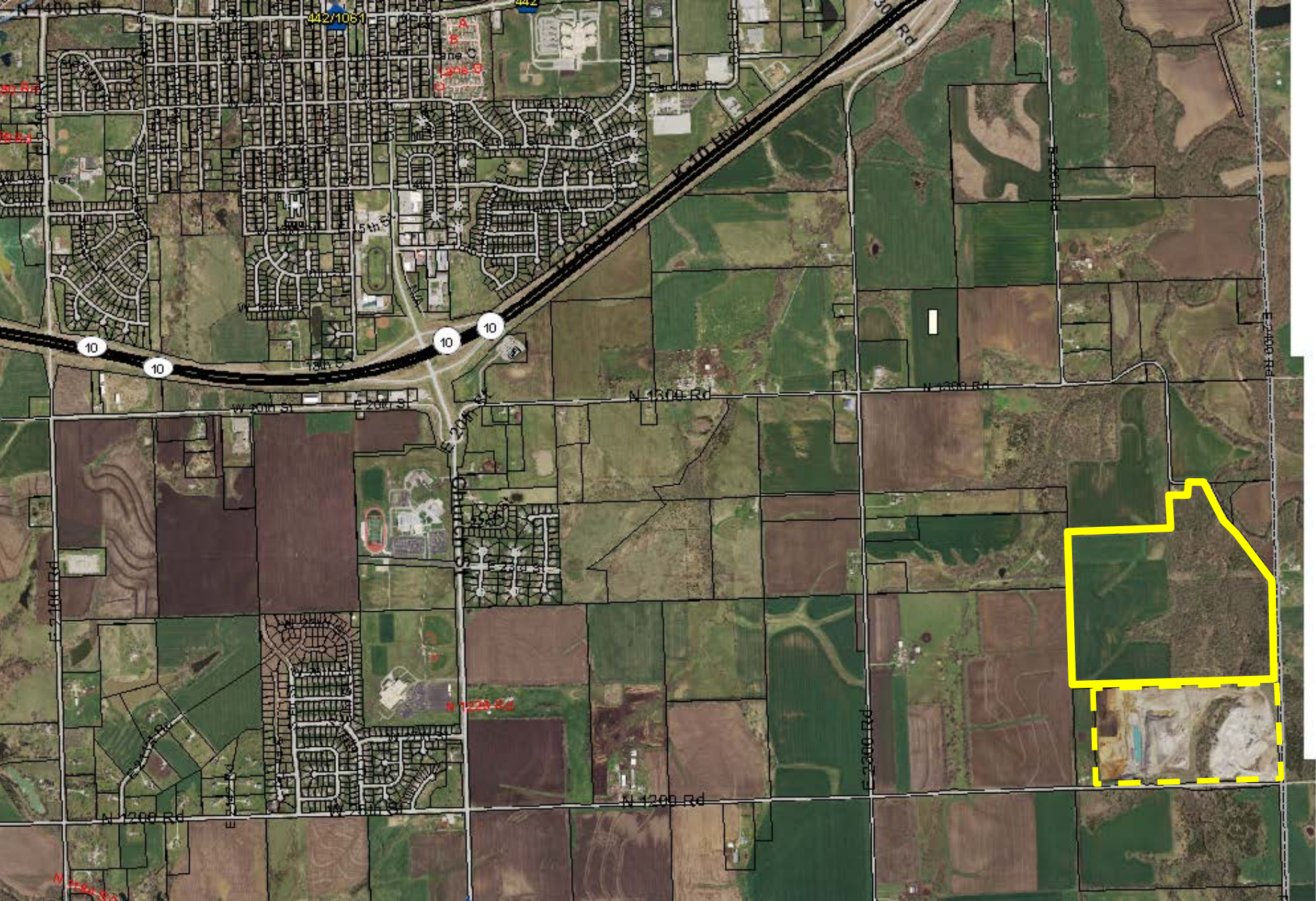
CUP-14-00064 / CUP-12-16-02

Hamm Eudora #68 Quarry

5 year compliance review

April 16, 2014

County Commission



Location Map



N 1200 Rd



EAST OF CREEK-PETEFISH QUARRY



N 1200 Rd



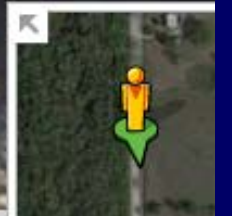
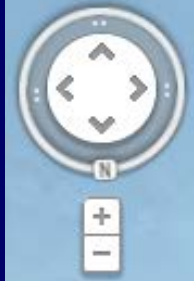
DETENTION



N 1200 Rd



QUARRY WEST OF CREEK-PETEFISH

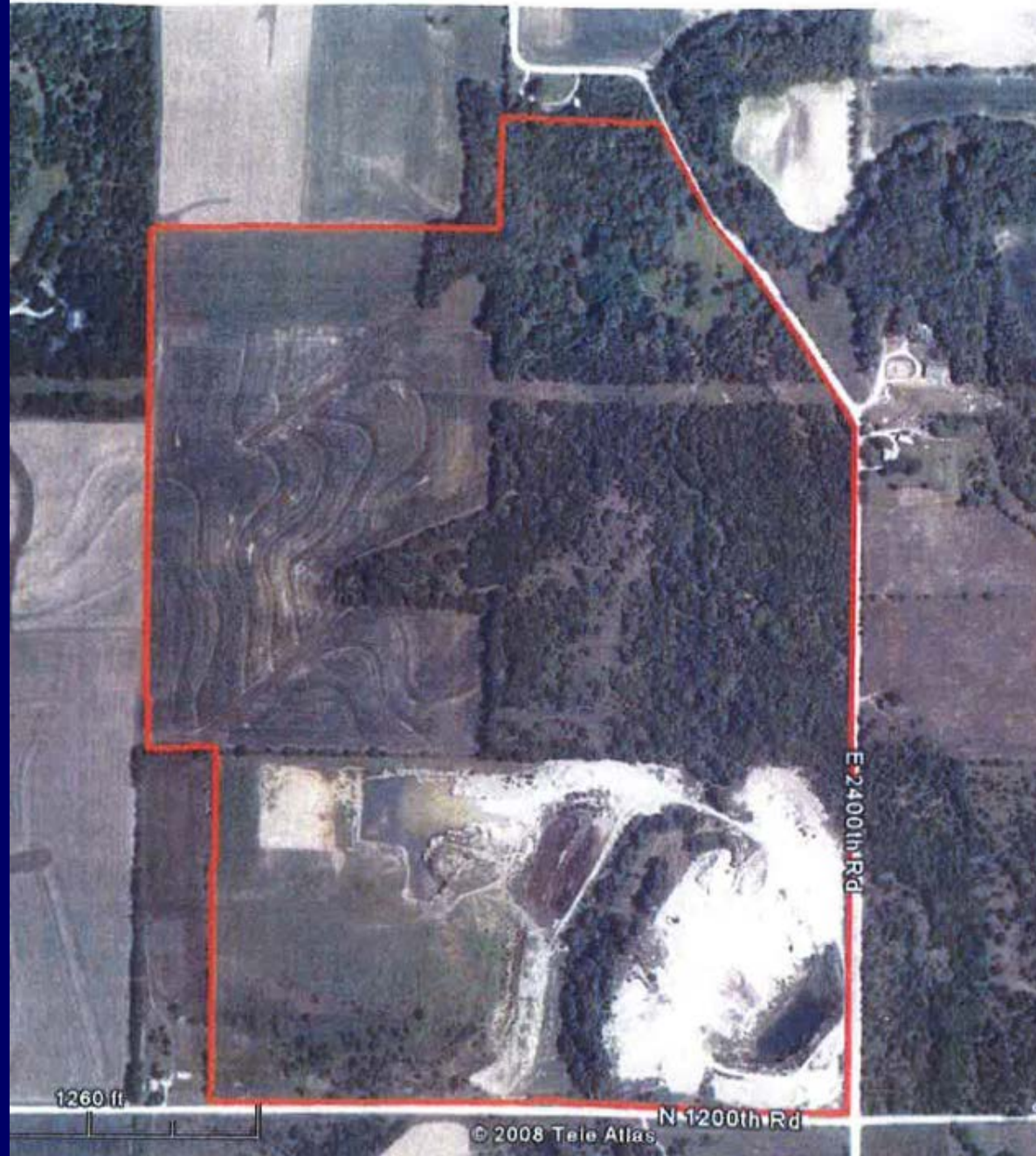


Fencing and Screening Plans

Reclamation Plans

Revised Access Locations

5 Year Compliance Review

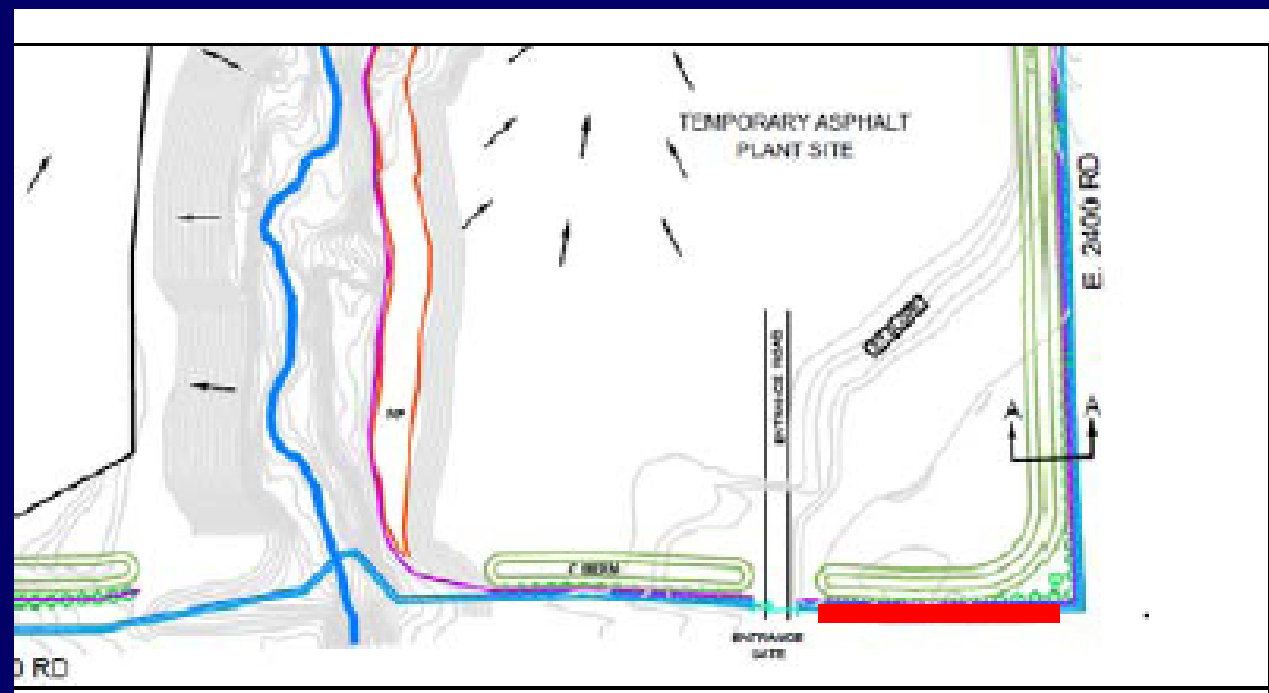
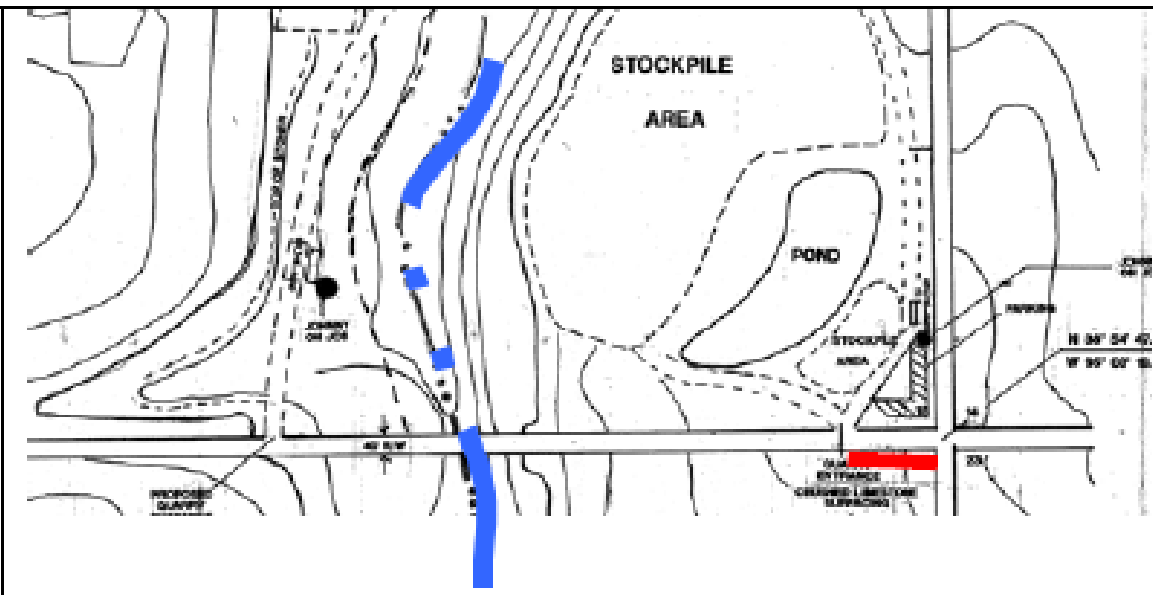


1260 ft

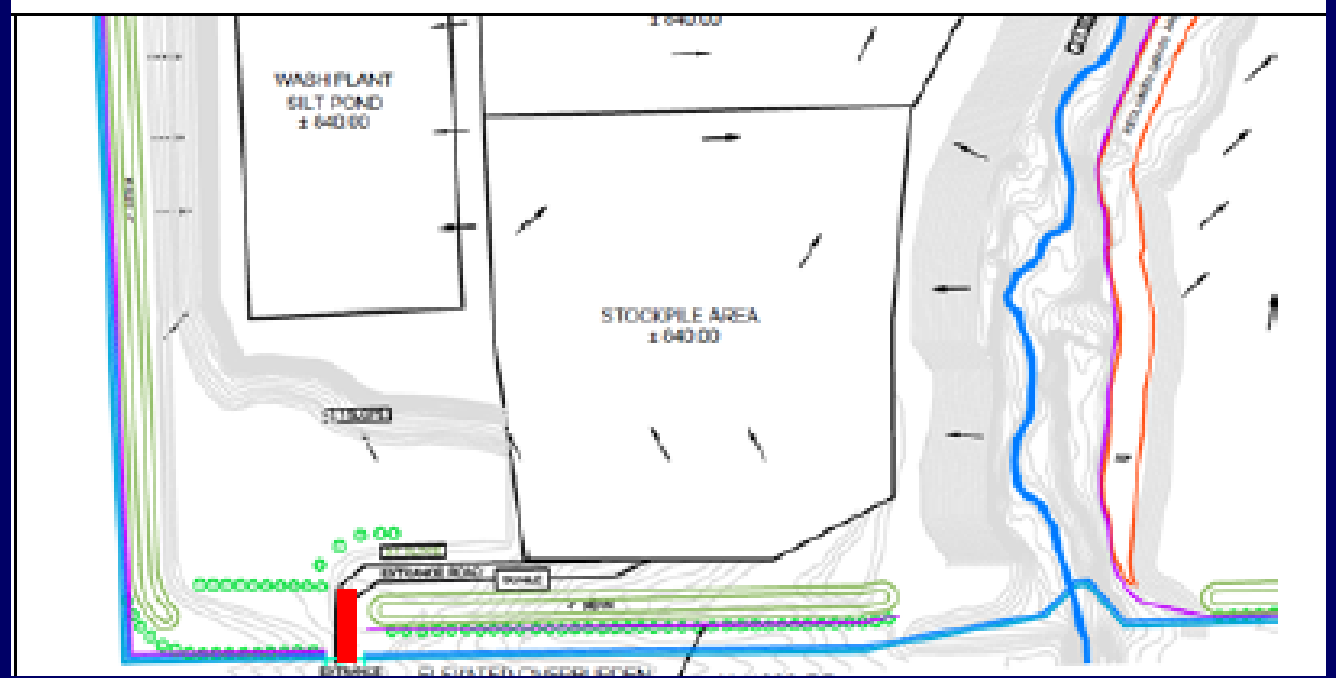
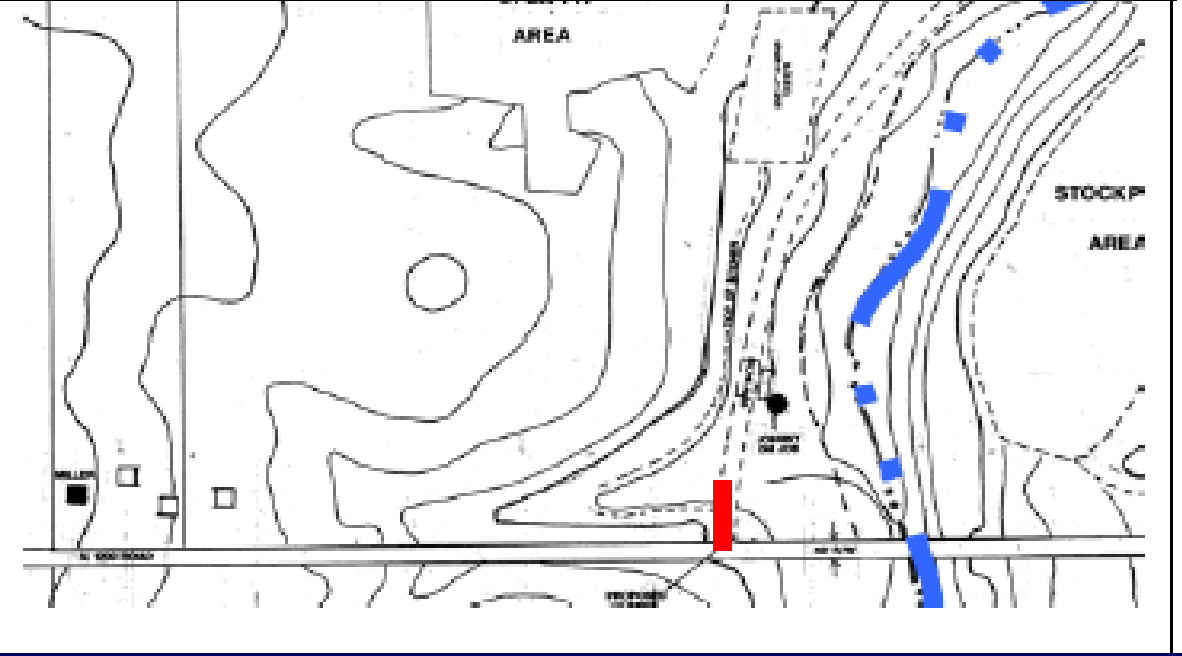
© 2008 Tele Atlas

E 2400th Rd

N 1200th Rd



REQUESTED CHANGES TO ACCESS ON N 1200 RD



Compliance Review



Staff Recommendations:

1. Approval of fencing and screening plans
2. Approval of reclamation plans with conditions:
 - Trees installed within 1 year
 - Berms removed on west portion of Petefish
 - If quarrying in cuts 1-4 varies the reclamation, the plans will be revised



Staff Recommendations:

3. Approval of revised access points as shown on the plan based on the recommendations of the Public Works Director.

April 14, 2014

To the Board of County Commissioners:

We are writing to you in regards to the review of the Hamm's Quarry on N. 1200th Road in Eudora. We live a little over a mile from the quarry, directly to the west. While we are not opposed to the operations of the quarry, we have many concerns.

Our biggest concern is the lack of dust control. We have called repeatedly and usually get no response. I am given the name and number of a supervisor, but they never call back. It wasn't until the supervisor was on vacation, that a gentleman named Roe Timmons finally helped us out. We have 4 children, and three of them are under the age of 4. My wife used to take the stroller and kids down the road to see their grandparents. The dust and traffic has gotten so bad, that it is no longer safe for her to do so. At times the dust is so thick, the kids can rarely play in the yard. It is extremely difficult to work on our farm equipment in the shop because of the dust. We aren't just talking about a few trucks. There is a constant steady stream of trucks that drive our road from sun-up to sun-down. There are several people who walk the road, and the high school cross country team sometimes runs the mile sections, so we are concerned for their safety as well.

The speed of the trucks is another concern. There are a few courteous drivers who slow down by our house, but most do not. We don't feel changing the speed limit will help when there is no one there to enforce it. Increased signage doesn't seem to be an answer either, as the majority of the people don't seem to read them. There is a 4 way intersection to the east of our house, and there are handfuls of trucks and cars that blow thru the stop-sign every day.

We cannot place blame solely on the quarry. The township has not kept up with the increased traffic and routine maintenance. The road is rarely bladed as needed, and does not seem to get the attention it should with the amount of traffic it sees.

We hope you will consider our issues as important. We would like to have a person from Hamm's who we can communicate with on a regular basis, and who will check to see when the road needs dust control. We would also like to see N. 1200th Road become a priority for the township with all the increased traffic.

Thank you for your time and consideration,

Jim & Amy Gabriel

2267 N. 1200th Road Eudora, KS 66025