Board of Riley County Commissioners
Regular Meeting
Agenda
January 22, 2024

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers **8:30 AM**

District 2 – Greg McKinley, Vice Chair | District 3 – Kathryn Focke, Member | District 1 – John Ford, Chair

8:30 AM **Call to Order**

Pledge of Allegiance

Public Comment

1. Public Comments

Commission Comments

2. Commission Comments

Business Meeting

3. Appropriation to WTC
4. Sign Tax Roll Corrections

Review Minutes

5. Board of Riley County Commissioners - Regular Meeting - Jan 18, 2024 9:00 AM

Press Conference Topics

6. Discuss Press Conference

Review Tentative Agenda

7. Tentative Agenda

9:00 AM **Laurie Harrison, Emergency Management Coordinator**

8. FY2024 HMEP grant application

9:15 AM **Lori Feldkamp, Big Lakes Developmental Center Director**

9. Big Lakes Developmental Center update

9:30 AM **Press Conference**

10. Presentation of Certificate of Appreciation for Years of Service on RCPB to Diane Hoobler - John Ford and Amanda Webb (3-5 minutes)

9:40 AM **Russel Stukey, Emergency Management Director**

11. Request to advertise to fill Deputy Chief of Administration

9:50 AM **Amanda Webb, Planning/Special Projects Director**

12. Keats Environmental Assessment - Request for Professional Services procedure

10:10 AM **Clancy Holeman, Counselor/Director of Administrative Services and Shelley Woodard, Deputy County Counselor**

13. Administrative Work Session
14. Pending County Projects County Counselor
15. Executive session to discuss confidential legal advice regarding potential litigation issues

10:30 AM **Clancy Holeman, Counselor/Director of Administrative Services**

16. Roger and Penny Nelson Fence View Application

11:30 AM **David Adams, EMS/Ambulance Director**

17. EMS/Ambulance Staff Update

12:00 PM **Intergovernmental Luncheon**

18. Intergovernmental Luncheon Agenda

Adjournment

Announcement

The 2024 Local Government Day will be held Wednesday, January 24, 2024 from 1:00-7:00 p.m. at the KAC Office, 715 SW 10th Avenue and The Beacon, 420 SW 9th Street, Topeka, Kansas.

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COUNTY CLERK & ELECTIONS
Budget

COMMISSION AGENDA REPORT

FROM: **Brittany Phillips, Budget & Finance Officer**

MEETING: **January 22, 2024**

SUBJECT: **Appropriation to WTC**

PRESENTER: **Brittany Phillips, Budget & Finance Officer**

BACKGROUND

On Thursday, January 18th, 2023, the Riley County Commissioners discussed supporting a grant application be submitted by WTC to provide public Wi-Fi. It would require a $5,000 appropriation from Riley County.

FISCAL IMPACT

This was not budgeted for the 2024 year. It is a $5,000 impact on Economic Development.

POSSIBLE MOTION(S)

Move to approve the $5,000 appropriation to WTC.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

Rich Vargo
County Clerk
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-565-6200

COUNTY CLERK & ELECTIONS
Tax Roll Correction

COMMISSION AGENDA REPORT

FROM: **Lori Muir, Real Estate Specialist**

MEETING: **January 22, 2024**

SUBJECT: **Sign Tax Roll Corrections**

PRESENTER: **Rich Vargo, County Clerk**

POSSIBLE MOTION(S)

Move to approve the Tax Roll Corrections.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:
- image30593 (PDF)

TAX ROLL CORRECTION
REAL ESTATE

Printed by JGODOWN 2024/01/18

Taxpayer ID DRAN0004
Owner ID DRAN0004

Control # 2024000016

Tax Year 2023
Tract # 561002

DRAN, JEFFREY J SR

CAMA # 216-23-0-40-07-015-00-0-01

NELSEN'S ADDN
LOT 2

830 DONDEE DR

TU 2 Manhattan City
Parcel 97180
USD 383

MANHATTAN, KS 66502-3220

Property Address 830 DONDEE DR

APPRAISER SECTION (Value) 2024/01/18 JGODOWN APPROVED

Appraised Prior to Correction:				Appraised After Correction:				
CL	Land	Imp	Total	CL	Land	Imp	Total	Net Change
RU	35640	309660	345300	RU	35640	285960	321600	23700-
Total	35640	309660	345300	Total	35640	285960	321600	23700-
Assessed Prior to Correction:				Assessed After Correction:				Net Change
RU	4099	35611	39710	RU	4099	32885	36984	2726-
Total	4099	35611	39710	Total	4099	32885	36984	Total 2726-
SB41	4836			SB41	4836			SB41

CLERK SECTION (Tax) 2024/01/18 JGODOWN ORDER PRINTED

Tax Prior to Correction:			Tax After Correction:			Net Change
Levy 150.37500	Gen Tax	5971.40	Levy 150.37500	Gen Tax	5561.48	409.92-
	SB41 $	96.72		SB41 $	96.72	
SB41 Tax Dollars		5874.68	SB41 Tax Dollars		5464.76	409.92-

TREASURER SECTION (Summary)

Net Change in Assessed Value (no SB41 influence) 2726-
Applicable Mill Levy 150.37500
Net Change in Levied Tax Dollars | 409.92- |

Net Change in SB41 Exemption

Net Change in Total Tax Dollars | 409.92- |

Type of Correction DECREASE
Correction Code TP TAX PROTEST Rate 4.00%
Tax Statement # 13460
Comments PUP Adjustment Per Appraiser

Owner DRAN0004
DRAN, JEFFREY J SR

By order of the Board of County Comissioners of RILEY COUNTY, Kansas. _____
(Per K.S.A. 1475, 1701, 1701a, and 1702) (Date)

Approved by Commission: _____

Attest by County Clerk: _____

Attachment: image30593 (14434 : Tax Roll Corrections)

TAX ROLL CORRECTION
REAL ESTATE

Printed by JGODOWN 2024/01/18 9:03:12

Taxpayer ID MCKA0008
Owner ID MCKA0008

Control # 2024000017

Tax Year 2023
Tract # 676040

MCKAIN, CAROLYN D TRUST

CAMA # 212-10-0-30-01-004-26-0-01

WYNDHAM HEIGHTS #4
LOT 40 0.33A

1201 WYNDHAM HEIGHTS DR

TU 2 Manhattan City
Parcel 106010
USD 383

MANHATTAN, KS 66503-8677

Property Address 1201 WYNDHAM HEIGHTS

APPRAISER SECTION (Value) 2024/01/18 JGODOWN APPROVED

Appraised Prior to Correction:

CL	Land	Imp	Total
RU	50350	490850	541200
Total	50350	490850	541200

Appraised After Correction:

CL	Land	Imp	Total	Net Change
RU	50350	448050	498400	42800-
Total	50350	448050	498400	42800-

Assessed Prior to Correction:

RU	5790	56448	62238	
Total	5790	56448	62238	
SB41	4836			

Assessed After Correction:

RU	5790	51526	57316	4922-
Total	5790	51526	57316	4922-
SB41	4836			

CLERK SECTION (Tax) 2024/01/18 JGODOWN ORDER PRINTED

Tax Prior to Correction:		Tax After Correction:		Net Change
Levy 150.37500 Gen Tax	9359.04	Levy 150.37500 Gen Tax	8618.90	740.14-
SB41 $	96.72	SB41 $	96.72	
SB41 Tax Dollars	9262.32	SB41 Tax Dollars	8522.18	740.14-

TREASURER SECTION (Summary)

Net Change in Assessed Value (no SB41 influence)	4922-
Applicable Mill Levy	150.37500
Net Change in Levied Tax Dollars	740.14-
Net Change in SB41 Exemption	
Net Change in Total Tax Dollars	740.14-

Type of Correction DECREASE
Correction Code TP TAX PROTEST Rate 4.00%
Tax Statement # 21581
Comments PUP Adjustment Per Appraiser

Owner MCKA0008
MCKAIN, CAROLYN D TRUST

By order of the Board of County Comissioners of RILEY COUNTY, Kansas. _____ (Date)
(Per K.S.A. 1475, 1701, 1701a, and 1702)

Approved by Commission: _____

Attest by County Clerk: _____

Attachment: image30593 (14434 : Tax Roll Corrections)

TAX ROLL CORRECTION
REAL ESTATE

Printed by JGODOWN 2024/01/18

Taxpayer ID BANK0146
Owner ID RENF0001

Control # 2024000018

Tax Year 2023
Tract # SH00047

RENFRO, MICHAEL & LAURA

CAMA # 087-35-0-00-00-003-00-0-01

35-7-6 S2 OF SEC LES LAKE & TRS

12720 WHIPPOORWILL LN

TU 70 Sherman Township
Parcel 310
USD 384

Property Address 12720 WHIPPOORWILL LN

RANDOLPH, KS 66554-9222

APPRAISER SECTION (Value)

2024/01/18 JGODOWN APPROVED

Appraised Prior to Correction:				Appraised After Correction:				
CL	Land	Imp	Total	CL	Land	Imp	Total	Net Change
AR	12030		12030	AR	12030		12030	
FR	2300	569340	571640	FR	2300	530020	532320	39320-
Total	14330	569340	583670	Total	14330	530020	544350	39320-
Assessed Prior to Correction:				Assessed After Correction:				Net Change
AR	3609		3609	AR	3609		3609	
FR	265	65474	65739	FR	265	60952	61217	4522-
Total	3874	65474	69348	Total	3874	60952	64826	Total 4522-
SB41	4836			SB41	4836			SB41

CLERK SECTION (Tax)

2024/01/18 JGODOWN ORDER PRINTED

Tax Prior to Correction:			Tax After Correction:			Net Change
Levy 118.15600	Gen Tax	8193.90	Levy 118.15600	Gen Tax	7659.58	534.32-
	SB41 $	96.72		SB41 $	96.72	
SB41 Tax Dollars		8097.18	SB41 Tax Dollars		7562.86	534.32-

TREASURER SECTION (Summary)

Net Change in Assessed Value (no SB41 influence) 4522-
Applicable Mill Levy 118.15600
Net Change in Levied Tax Dollars | 534.32- |

Net Change in SB41 Exemption

Net Change in Total Tax Dollars | 534.32- |

Type of Correction DECREASE
Correction Code TP TAX PROTEST Rate 4.00%
Tax Statement # 7115
Comments PUP Adjustment Per Appraiser

Owner RENF0001
RENFRO, MICHAEL & LAURA

By order of the Board of County Comissioners of RILEY COUNTY, Kansas. _____ (Date)
(Per K.S.A. 1475, 1701, 1701a, and 1702)

Approved by Commission: _____

Attest by County Clerk: _____

Attachment: image30593 (14434 : Tax Roll Corrections)

TAX ROLL CORRECTION
REAL ESTATE

Printed by JGODOWN 2024/01/18

Taxpayer ID SCHL0012
Owner ID SCHL0012

Control # 2024000019

Tax Year 2023
Tract # 532005

SCHLAPPI, LARRY ET UX

CAMA # 212-10-0-10-08-008-24-0-01

CASCADE HILL ADDN
LOT 5 .462A

3913 SNOWY REACH

TU 2 Manhattan City
Parcel 95400
USD 383

MANHATTAN, KS 66503-7559

Property Address 3913 SNOWY REACH

APPRAISER SECTION (Value) 2024/01/18 JGODOWN APPROVED

Appraised Prior to Correction:				Appraised After Correction:				
CL	Land	Imp	Total	CL	Land	Imp	Total	Net Change
RU	53230	446570	499800	RU	53230	392070	445300	54500-
Total	53230	446570	499800	Total	53230	392070	445300	54500-
Assessed Prior to Correction:				Assessed After Correction:				Net Change
RU	6121	51356	57477	RU	6121	45088	51209	6268-
Total	6121	51356	57477	Total	6121	45088	51209	Total 6268-
SB41	4836			SB41	4836			SB41

CLERK SECTION (Tax) 2024/01/18 JGODOWN ORDER PRINTED

Tax Prior to Correction:			Tax After Correction:			Net Change
Levy 150.37500	Gen Tax	8643.10	Levy 150.37500	Gen Tax	7700.56	942.54-
	SB41 $	96.72		SB41 $	96.72	
SB41 Tax Dollars		8546.38	SB41 Tax Dollars		7603.84	942.54-

TREASURER SECTION (Summary)

Net Change in Assessed Value (no SB41 influence) 6268-
Applicable Mill Levy 150.37500
Net Change in Levied Tax Dollars | 942.54- |

Net Change in SB41 Exemption

Net Change in Total Tax Dollars | 942.54- |

Type of Correction DECREASE
Correction Code TP TAX PROTEST Rate 4.00%
Tax Statement # 26698
Comments PUP Adjustment Per Appraiser

Owner SCHL0012
SCHLAPPI, LARRY ET UX

By order of the Board of County Comissioners of RILEY COUNTY, Kansas. _____ (Date)
(Per K.S.A. 1475, 1701, 1701a, and 1702)

Approved by Commission: _____

Attest by County Clerk: _____

Attachment: image30593 (14434 : Tax Roll Corrections)

TAX ROLL CORRECTION
REAL ESTATE

Printed by JGODOWN 2024/01/18 9:03:12

Taxpayer ID STEV0042
Owner ID STEV0042

Control # 2024000020

Tax Year 2023
Tract # WC699001

STEVENS FAMILY TRUST

CAMA # 178-28-0-00-00-009-00-0-01

STEVENS CANYON SUBD
LOT 1

4881 BOWMAN DR

TU 120 Wildcat Township
Parcel 3790
USD 378

MANHATTAN, KS 66503-9504

Property Address 4881 BOWMAN DR

APPRAISER SECTION (Value) 2024/01/18 JGODOWN APPROVED

Appraised Prior to Correction:				Appraised After Correction:				
CL	Land	Imp	Total	CL	Land	Imp	Total	Net Change
AR	1290	27440	28730	AR	1490	27440	28930	200
FR	19980	388950	408930	FR	10810	388950	399760	9170-
Total	21270	416390	437660	Total	12300	416390	428690	8970-
Assessed Prior to Correction:				Assessed After Correction:				Net Change
AR	387	6860	7247	AR	447	6860	7307	60
FR	2298	44729	47027	FR	1243	44729	45972	1055-
Total	2685	51589	54274	Total	1690	51589	53279	Total 995-
SB41	4836			SB41	4836			SB41

CLERK SECTION (Tax) 2024/01/18 JGODOWN ORDER PRINTED

Tax Prior to Correction:		Tax After Correction:		Net Change
Levy 117.12600 Gen Tax	6356.90	Levy 117.12600 Gen Tax	6240.36	116.54-
SB41 $	96.72	SB41 $	96.72	
SB41 Tax Dollars	6260.18	SB41 Tax Dollars	6143.64	116.54-

TREASURER SECTION (Summary)

Net Change in Assessed Value (no SB41 influence) 995-
Applicable Mill Levy 117.12600
Net Change in Levied Tax Dollars | 116.54- |

Net Change in SB41 Exemption

Net Change in Total Tax Dollars | 116.54- |

Type of Correction DECREASE
Correction Code TP TAX PROTEST Rate 4.00%
Tax Statement # 28383
Comments PUP Adjustment Per Appraiser

Owner STEV0042
STEVENS FAMILY TRUST

By order of the Board of County Comissioners of RILEY COUNTY, Kansas. _____
(Per K.S.A. 1475, 1701, 1701a, and 1702) (Date)

Approved by Commission: _____

Attest by County Clerk: _____

Attachment: image30593 (14434 : Tax Roll Corrections)

TAX ROLL CORRECTION
REAL ESTATE

Printed by JGODOWN 2024/01/18

Taxpayer ID WILL0422
Owner ID WILL0422

Control # 2024000021

Tax Year 2023
Tract # LE00025

WILLIAMS, TOMMY W
CYNTHIA L WILLIAMS
301 W BARTON RD

LEONARDVILLE, KS 66449-9500

CAMA # 122-10-0-30-06-002-00-0-01

TU 1 Leonardville City
Parcel 280
USD 378

LEONARDVILLE CITY
BLK 6 LOTS 2 3

Property Address 306 W CHASE ST

APPRAISER SECTION (Value) 2024/01/18 JGODOWN APPROVED

Appraised Prior to Correction:				Appraised After Correction:				
CL	Land	Imp	Total	CL	Land	Imp	Total	Net Change
RU	8480	79670	88150	RU	8480	31850	40330	47820-
Total	8480	79670	88150	Total	8480	31850	40330	47820-
Assessed Prior to Correction:				Assessed After Correction:				Net Change
RU	975	9162	10137	RU	975	3663	4638	5499-
Total	975	9162	10137	Total	975	3663	4638	Total 5499-
SB41	4836			SB41	4638			SB41 198-

CLERK SECTION (Tax) 2024/01/18 JGODOWN ORDER PRINTED

Tax Prior to Correction:			Tax After Correction:			Net Change
Levy 139.86900	Gen Tax	1417.86	Levy 139.86900	Gen Tax	648.72	769.14-
	SB41 $	96.72		SB41 $	92.76	3.96-
SB41 Tax Dollars		1321.14	SB41 Tax Dollars		555.96	765.18-

TREASURER SECTION (Summary)

Net Change in Assessed Value (no SB41 influence) 5499-
Applicable Mill Levy 139.86900
Net Change in Levied Tax Dollars | 769.14- |

Net Change in SB41 Exemption 3.96-

Net Change in Total Tax Dollars | 765.18- |

Type of Correction DECREASE
Correction Code TP TAX PROTEST Rate 4.00%
Tax Statement # 31230
Comments PUP Adjustment Per Appraiser

Owner WILL0422
WILLIAMS, TOMMY W

By order of the Board of County Comissioners of RILEY COUNTY, Kansas. _____
(Per K.S.A. 1475, 1701, 1701a, and 1702) (Date)

Approved by Commission: _____

Attest by County Clerk: _____

Attachment: image30593 (14434 : Tax Roll Corrections)

Board of Riley County Commissioners

Regular Meeting

TENTATIVE Agenda

January 25, 2024

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers **8:30 AM**

District 2 – Greg McKinley, Vice Chair | District 3 – Kathryn Focke, Member | District 1 – John Ford, Chair

8:30 AM **Call to Order**

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

1. Approve payroll/accounts payables (when completed)

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM **Barry Wilkerson, County Attorney**

2. Staff update

9:15 AM **Clancy Holeman, Counselor/Director of Administrative Services**

3. Administrative Work Session

9:35 AM **Cory Meyer, IT/GIS Director**

4. Staff update

9:50 AM **Shelly Williams, Community Corrections Director**

5. Staff update

10:05 AM **Vivienne Leyva, PIO**

6. PIO update

10:20 AM **Amanda Webb, Planning/Special Projects Director**

7. Stadel Road Sewer Benefit District Work Session

Adjournment

Attachment: 01-25-24 tentative agenda (14171 : Tentative Agenda)

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Attachment: 01-25-24 tentative agenda (14171 : Tentative Agenda)

Board of Riley County Commissioners

Regular Meeting

TENTATIVE Agenda

January 29, 2024

115 North 4th Street
Manhattan, KS 66502
www.rileycountyks.gov

Cindy Kabriel
785-565-6200

Commission Chambers **8:30 AM**

District 2 – Greg McKinley, Vice Chair | District 3 – Kathryn Focke, Member | District 1 – John Ford, Chair

8:30 AM **Call to Order**

Pledge of Allegiance

Public Comment

Commission Comments

Business Meeting

Review Minutes

Review Tentative Agenda

Press Conference Topics

9:00 AM **Clancy Holeman, Counselor/Director of Administrative Services**

1. Administrative Work Session

9:20 AM **Break**

9:30 AM **Press Conference**

9:40 AM **Amanda Webb, Planning/Special Projects Director**

2. Comprehensive Plan update

Adjournment

In order to comply with provisions of the Americans with Disabilities Act (ADA), Riley County will make reasonable efforts to accommodate the needs of persons with disabilities. Please contact the Division of Human Resources at (785) 537-6303 (voice and TTY) for assistance.

Attachment: 01-29-24 tentative agenda (14171 : Tentative Agenda)

EMERGENCY MANAGEMENT/FIRE
Grant

Russel Stukey
Emergency Management Director
115 North 4th Street
Manhattan, KS 66502
Phone: 785-537-6333

COMMISSION AGENDA REPORT

FROM: **Laurie Harrison, Emergency Management Asst Director**

MEETING: **January 22, 2024**

SUBJECT: **FY2024 HMEP grant application**

PRESENTER: **Laurie Harrison, Emergency Management Asst Director**

BACKGROUND

The Hazardous Materials Emergency Preparedness (HMEP) grant program provides financial and technical assistance as well as national direction and guidance to enhance state, territorial, tribal, and local hazardous materials emergency planning, and training. The Hazardous Materials Transportation Safety and Security Reauthorization Act of 2005 authorizes the United State Department of Transportation (USDOT) to provide assistance to public sector employees through training and planning grants to States, Territories, and Native American Tribal Nations for emergency response. The HMEP grant funds are to be used for transportation-related hazardous materials safety planning and training expenditures and activities and efforts that lead to increased effectiveness in safely and efficiently handling hazardous materials accidents and incidents.

DISCUSSION

In 2012 Riley County Emergency Management in cooperation with six other counties (Geary, Marshall, Morris, Pottawatomie, Wabaunsee, and Washington) conducted a hazardous material commodity flow study (HMCFS). Since then, Kansas Department of Emergency Management has realigned the hazard mitigation regions. Chase, Geary, Lyon, Morris, Pottawatomie, Riley, and Wabaunsee counties now make up Hazard Mitigation Region I (HMRI). The Region I hazard mitigation plan will expire in 2025. Any businesses involved in the commercial use of hazmat within Chase and Lyon counties were not covered in the 2012 study.

FISCAL IMPACT

The counties in HMRI have agreed to be part of the 20% match. This match comes from a collective pool from each of the 7 counties. The match is expected to be in-kind with voluntary contributions of time by LEPC members and salaries, benefits, or travel expenses for county staff to review, research, and comment on Commodity Flow Study scope, locations, clarifications, and report.

The federal grant money to pay the contractor will come through Riley County. Riley County will be responsible for tracking and reporting the in-kind match for all counties involved.

RECOMMENDATION(S)

It is recommended to approve the FY2024 HMEP grant application for a hazardous material commodity flow study.

POSSIBLE MOTION(S)

Move to approve the FY2024 HMEP grant application for a hazardous material commodity flow study for Hazard Mitigation Region I.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- 2024 HMEP grant application signed by EM and LEPC (PDF)

KANSAS DIVISION OF EMERGENCY MANAGEMENT
HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS (HMEP)
FFY 2024-2025 GRANT APPLICATION

(Application Submission Deadline – February 6, 2024)

1. FEDERAL AWARD IDENTIFICATION

i. Subrecipient (County/LEPC/Entity) Name (To be completed by the applicant)

Riley County

ii. Subrecipient's UEI Number (To be filled up by the Applicant)

TTQ7ABTZXEK6

iii. Federal Award Identification Number (To be completed by the state when available)

iv. Federal Award Dates

Start Date: 9/30/2022 **End Date: 9/30/2025**

v. Subaward Period of Performance Start Date and End Date

Start Date: 9/30/2024 **End Date: 9/30/2025**

vi. Project Title (A brief title of the proposed project):

Hazardous Material Commodity Flow Study for Hazard Mitigation Region I

vii. Amount of HMEP funds requested by the applicant for this project (estimated budget)

$162,600

viii. Total amount of HMEP funds requested by the applicant for all projects (estimated total budget)

$162,600

ix. Total Amount of Federal Award (To be filled up by the State when available)

$

x. Name of Federal awarding agency, pass-through entity, and contact information for awarding official.

Federal Awarding Agency: USDOT PHMSA; Pass Through Entity: The Adjutant General's Department, State of Kansas; Contact Information for Awarding Official: Angelynn T. Morgan, Deputy Director, Kansas Division of Emergency Management, 2800 SW Topeka Blvd. Topeka, 66611; Phone: 785-646-2101

xi. CFDA Number and Name; the pass-through entity must identify the dollar amount made available under each Federal award and the CFDA number at time of disbursement.

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

CFDA Number: 20.703.
Name: The Adjutant General's Department.
HMEP Dollar Amount Available in 2024-2024 (to be filled up by the State when available): $
CFDA Number at the Time of Disbursement: 20.703

xii. **Indirect Cost Rate for the Federal Award (including if the de minimis rate is charged per § 200.414 Indirect (F&A) costs** (to be completed by the applicant if indirect cost is used):

2. APPLICANT CONTACT INFORMATION

Project manager

Name	Russel Stukey
Title	Riley County Emergency Management Director
Address	115 N 4th St
City, Zip code	Manhattan, KS 66502
Telephone Number	785-537-6333
Email	rstukey@rileycountyks.gov

Local emergency planning committee chair/division director

Name	Nathan Dixon
Title	Riley County EMS Lt
Address	2011 Claflin Rd
City, Zip code	Manhattan, KS 66502
Telephone Number	785-539-3535
Email	ndixon@rileycountyks.gov

Financial contact information (person responsible for fiscal management)

Name	Laurie Harrison
Title	Riley County Emergency Management Asst Director
Address	115 N 4th St
City, Zip code	Manhattan, KS 66502
Telephone Number	785-537-6333
Email	lharrison@rileycountyks.gov

3. PROJECT INFORMATION (use separate application form for each project)

HazMat Planning :

Commodity Flow Study/ Hazard Analysis	Capabilities Assessment	Plan Development/Update	HazMat Conference/Symposium	Other (Specify)
X				

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

HazMat Exercise :

Full Scale	Functional	Drill	Tabletop	Other (Specify)
Core Capabilités to be addressed :				

Hazmat Training:

NFPA 472 Core Competency Training	NFPA 472 Mission Specific Competency	Chemical Specific Training	Training Gap Analysis	Other (Specify)

Tentative Project Dates (to be completed by the applicant)

Proposed Start Date	Proposed Completion Date

Estimated Cost of the Project :

Amont of HMEP funds requested for this project	$162,600	
If you are willing to accept partial funding, indicate the amount	$	
Match share (multiply the amount of HMEP funds requested by 0.25, which equals to the (20/80) % Match share)	Full	Partial
	$40,650	

Description Of Match (All Match must be non-federal (e.g., EMPG, DHS, etc.), not allocated to other grant))

Required 80:20 Cost Share	Description	Full ($)	Partial ($)
Type of match (soft-match or cash, or both)	Soft/In-kind salary & benefits		
Source of match (first responders' time, hard cash, facilities, equipment, etc.)	Soft/In-kind salary & benefits of participating staff and volunteers		
Other (describe, e.g., indirect cost)			
Salary and/or fringe benefit (rate x hours) *	Varies based upon role (paid or volunteer)	**40,650**	
Facility space used for planning/exercise			
HMEP project related travel (planning/training) to be used as match			
Equipment used for training/exercise (describe)			
Other allowable match (describe)			
Total match (non-federal and not used for any other federal and/or state funded projects)		**40,650**	

*Prevailing market rate can be used for salary, fringe benefits, equipment, and facilities if exact values are not known

4. PROJECT NARRATIVE

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

A. NEEDS ASSESSMENT:

NEEDS ASSESSMENT: PROGRAM NEED = (DESIRED PROGRAM – ACTUAL PROGRAM)

Describe the jurisdiction's current need (hazmat planning, training, or exercise) using the steps below.

- Perform an accurate needs assessment, assess your hazmat program, identify gaps in planning and training, and provide a synopsis of the analysis.
- For exercise projects, describe if this is part of county's multi-year training and exercise plan. If so, include a copy of the county's multi-year training and exercise plan. If you have conducted exercises in the past with HMEP grant funds, explain how the current project differs from the previous ones.
- Evaluate needed tasks, activities, and any supplies and equipment for the upcoming period.
- Determine if the needs coincide with the goals of your agency, and if the needs are feasible.
- Develop priorities for tasks and activities to be conducted, prioritize need based on importance.

In 2012 Riley County Emergency Management in cooperation with six other counties (Geary, Marshall, Morris, Pottawatomie, Wabaunsee, and Washington) conducted a hazardous material commodity flow study. Since then, Kansas Division of Emergency Management has realigned the hazard mitigation regions. Chase, Geary, Lyon, Morris, Pottawatomie, Riley, and Wabaunsee counties now make up Hazard Mitigation Region I. The Region I hazard mitigation plan will expire in 2025. Any businesses involved in the commercial use of hazmat within Chase and Lyon counties were not covered in the 2012 study.

- **GOALS AND OBJECTIVES**: List hazmat emergency response program's long and short term (upcoming grant cycle) goals and objectives. When determining *goals and objectives* for your program, ensure they:
- Align with state and PHMSA's program Goals and Objectives (see PHMSA HMEP-Expenditure Guideline at PHMSA HMEP Guide (PDF) | PHMSA (dot.gov)).
- Address the findings of the Needs Assessment, and ensure they are obtainable and reasonable, clear, concise, and measurable in terms of projected outputs and outcomes.

A new hazardous material commodity flow study will identify HAZMAT transported into, out of, within, and through a specified area. The new study will help in the updating of the Hazard Mitigation Region I plan that will expire in 2025.

B. PROJECT DESCRIPTION: The project narrative must fully describe the proposed activities.

- Project Activity
- Project Timeline
- Monitoring and Evaluation

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

➢ Deliverables

i. Project Activity

The project narrative must fully describe the proposed activities. When listing Tasks & Activities, it is very important to remember the following:

- *Who* – Who will be performing the task or activity?
- *What* – What task or activity is to be performed?
- *Why* – Why is the task or activity being performed?
- *Where* – Where will the task or activity take place?
- *When* – When is the task or activity projected to be performed?
- *How Many* – What is the projected number participants involved in the task or activity?
- *How Much* – What is the projected cost of the task or activity?

Describe what task or activity will be performed (include scenarios for exercises, list any supplies and/or consumables or equipment rental that will be used for the project):

1. Identify chemicals and hazardous material that are transported through HMRI
2. Analyze data to determine the flow of HAZMAT by road, rail, pipeline, air
3. Identify new trends in HAZMAT transportation and storage
4. Identify areas and facilities along major traffic routes where a spill or release could create significant risk to the population
5. Identify potential issues arising from community changes that could elevate risk along transportation routes
6. Consider the likelihood of a spill event based on experience and worst-case scenarios
7. Determine potential increase in HAZMAT transportation

Describe who will be performing the tasks and/or activity or how it will be performed (project manager, emergency manager, or contractor):

1. Contractor, Emergency Manager, other response agencies
2. Contractor
3. Contractor
4. Contractor, Emergency Manager
5. Contractor, Emergency Manager, other response agencies
6. Contractor, Emergency Manager, other response agencies
7. Contractor

The project manager for this project will work with the other county Emergency Managers to coordinate information, review data, and submit quarterly/closeout documents for the project.

Describe why the task or activity is being performed. If you are requesting funds for a hazmat training, did you check if the training is offered free by any state or federal entities? Have you completed the KDEM *Course Request Form* and has the course been approved by the State Training Officer? Refer to Appendix F/Appendix G. Submit a copy of the approval letter/certification from KDEM training officer with your application. If not, provide reasonable explanation.

These tasks/activities are being performed to gather, collect, and analyze information about HAZMAT transportation within Region I.

Describe if a contractor will be hired and which portion of the project will be carried out by the contractor.

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

(If the contractor does partial work explain who will do the rest of the work and how it is shown in the budget). Follow the 2CFR200.318-326 for procurement with federal funds. Between 2CFR200 and your county's procurement policies, follow the one that is stricter. If you have secured adequate number of quotes/bids and selected one or more vendors for your project, list them here. Explain if Sole Source, provide a Sole Source justification for review. If you plan to hire a contractor after receipt of the grant, describe the process that you would follow. Describe if any portion of the project will be carried out by the LEPC, including local volunteers:

A contractor will be hired by soliciting proposals that will be evaluated by a committee of Region I Emergency Managers.

ii. Project Timeline:

Describe when the task or activity projected is to be performed, and the timeline of the project. Provide tentative dates for the proposed activities (provide work schedule, do not list the grant start and end dates):

The project will be divided into 4 phases.
Phase 1 (October 2024 – January 2025) identify local stakeholders, LEPC members, and county staff. Establish a quarterly meeting schedule with the contractor
Phase 2 (October 2024-June 2025) Research, review, and assessment of transportation infrastructure and facilities
Phase 3 (March 2025 – August 2025) A hazardous materials commodity flow study and report should be completed.
Phase 4 (July 2025-September 2025) Publish a final report

iii. Monitoring and Evaluation:

Describe if the local (LEPC/county) procurement process align with federal and state procurement processes as described in 2CFR 200.318-326.

The Riley County procurement process aligns with federal and state processes as described in 2CFR200.318-326. The procurement policy for Riley County can be provided upon request.

Describe procurement process to be used for awarding contracts. Refer to 2CFR200.318-326 to determine which procurement standard applies to you. **Micro-purchases** may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable. If **Small Purchase** procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. Provide "cost analysis" for projects exceeding the **Simplified Acquisition Threshold**, including contract modifications.

Riley County will use its own documented procurement policy which reflects applicable federal, state, and local laws and regulations. The 7 county Emergency Managers will maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of the contract.

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

Explain how you will ensure competition and affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used as described in 2CFR200.

Selecting a contractor will be based on the evaluation of proposals. Criteria may include, but may not be limited to the following (not prioritized):

1. Experience and qualifications of the contractor
2. Cost
3. Timetable to complete project
4. References

Describe the process that the LEPC will use to manage the program; for regional projects, identify the lead county who will lead and coordinate the project, submit reports, provide match, etc.

The Riley County Emergency Management Director will be the Project Manager and will work with Geary, Pottawatomie, Wabaunsee, Chase, Morris, and Lyon County Emergency Managers. An agreement among all counties has been established with their amount of match obligation for each county.

Describe internal controls as defined in accounting and auditing (2CFR300.303) to be used to ensure contractor conformance with the terms, conditions, and specifications of the contract. Describe how you would maintain oversight to ensure that contractors perform in accordance with the terms and conditions of their contracts or purchase orders. Ensure you have a termination clause in the contract for contractor's inadequate performance.

It will be the responsibility of each county Emergency Manager to oversee the work in accordance to the contract. Riley County's procurement policy allows for a discretionary clause such as "termination of the contract for default; or termination of the contract in whole or in part for the convenience of Riley County.

iv. Deliverables:

For planning projects, describe what will be the output and how it will be delivered. Upon completion, upload planning documents in Kansas Planning System.

A report that will include identification of hazardous materials transportation flow patterns within HMRI, identify fixed facilities that handle, store, and transport hazardous materials, a general assessment of issues regarding hazardous materials transport and an analysis of the data and assess vulnerabilities. The report will also address compliance with requirements and recommendations in EPCRA of SARA title III and the Hazardous Materials Emergency Planning Guide.
The CFS will be provided to each of the 7 counties in electronic format and printed copy.

If a training is conducted, provide the tentative number of students that will be trained. Pre-tests, post-tests, and course evaluations are required to ensure effectiveness of training.

N/A

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

If an exercise is conducted, provide a detailed exercise scenario, explain how the exercise relates to hazmat transportation incidents. Provide the list of jurisdictions or agencies that will participate in the exercise. Also, provide a tentative number of responders/LEPC staff/volunteers expect to participate:

N/A

C. Budget Narrative:

Justify the proposed costs. List the vendors that you have selected for the project. Provide explanation if bids/quotes were not provided or write "NA" if this section does not apply.

The requested amount is reasonable and necessary to hire a contractor to conduct a Hazardous Materials Commodity Flow Study for the 7 counties that make up Hazard Mitigation Region I.

Cost Category	Cost Estimate
Contractual Fees- Planning:	**$162,600**
Instructor Fees:	
Training Course Fees/Contractual Fees:	
Lodging:	
Meals:	
Mileage (State Rate):	
Car Rental:	
Facility Rental:	
Materials & Supplies:	
Equipment:	
Other Costs-1 (describe here):	
Other Costs-2 (describe here):	
Other Costs-3 (describe here):	
Total Funds Requested: $	
Match (Total Funds Requested x (20/80)):	**$ 40,650**
Total Cost (Total Funds Requested + Match):	**$ 203,250**

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

5. **CERTIFICATION: LOCAL EMERGENCY PLANNING COMMITTEE APPROVAL** (FOR REGIONAL PROJECTS, EACH PARTICIPATING COUNTY/LEPC MUST SIGN THIS PAGE):

By signing this document, I, on behalf of the LEPC/county certify that the LEPC/county maintains written standards of conduct covering conflicts of interest and governing the performance of its employees engaged in the selection, award, and administration of contracts. The county standards of conduct provide for disciplinary actions. The LEPC/county confirms that it will adhere to the conflict-of-interest standards set forth by the county/LEPC.

By signing this document, I, on behalf of the LEPC/county certify that it will not use any soft match for HMEP grant award that is/may be used to match for other federal grants (e.g., EMPG, DHS, etc.) or any other co-operative agreement.

By signing this document, I, on behalf of the LEPC/county certify that if funds are awarded, the emergency responders who will receive training under the grant will have the ability to protect nearby persons, property, and the environment from the effects of accidents or incidents involving the transportation of hazardous material in accordance with existing regulations or National Fire Protection Association standards for competence of responders to accidents and incidents involving hazardous materials. Planning activities funded by the Hazardous Materials Emergency Preparedness Planning and Training Grant will be used to develop, improve, and carryout emergency plans under the Emergency Planning and Community Right-To-Know Act of 1986 (42 U.S.C. 11001 et seq.), see 49 U.S.C. 5116(a).

By signing this document, I, on behalf of the LEPC/county, agree to provide training record and actual payroll records for all responders who receive overtime, backfill or stipends by name, county, training date(s) and the total amount paid to each individual volunteer for each individual training event.

By signing this document, I, on behalf of the LEPC/county hereby certify to the best of my knowledge and belief that the provided information is true, complete, and accurate, and all funds distributed to the above applicant will be used solely for the project and purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise.

Russel Smith 1-18-24

Signature of the Project Manager — Date

1-17-24

Signature of LEPC Chair (or Agency Director) — Date
Riley County

Name and Signature of the County Commissionner — Date

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

Signature of LEPC Chair (or Agency Director) Date
Chase County

Signature of LEPC Chair (or Agency Director) Date
Geary County

Signature of LEPC Chair (or Agency Director) Date
Pottawatomie County

Signature of LEPC Chair (or Agency Director) Date
Lyon County

Signature of LEPC Chair (or Agency Director) Date
Wabaunsee County

Signature of LEPC Chair (or Agency Director) Date
Morris County

Attachment: 2024 HMEP grant application signed by EM and LEPC (14421 : FY 2024 HMEP grant)

EMERGENCY MANAGEMENT/FIRE
Personnel

Russel Stukey
Emergency Management Director
115 North 4th Street
Manhattan, KS 66502
Phone: 785-537-6333

COMMISSION AGENDA REPORT

FROM: **Russel Stukey EM Director/ Fire Chief**

MEETING: **January 22, 2024**

SUBJECT: **Request to advertise to fill Deputy Chief of Administration**

PRESENTER: **Laurie Harrison Asst. Director / Doug Russell Deputy Chief of Operations**

BACKGROUND

Riley County Fire District #1 has operated for the past 2.5 years with a Director/Chief and two Deputy Chiefs. One DC of Operations and one DC of Administration.

DISCUSSION

We have received a letter of resignation from the current DC of Administration effective Feb. 16th. We would like to move quickly to advertise to fill this position.

FISCAL IMPACT

This position is budgeted for 2024.

RECOMMENDATION(S)

Staff recommends to fill this position asap.

POSSIBLE MOTION(S)

Move to approve posting/ advertising for Riley County Fire District #1 Deputy Chief of Administration position.

Move to deny

Move to modify

Move to table

No action required.

The Board agreed by consensus to

Enclosures:

- 2024-01 Deputy Fire Chief of Admin PAF (DOCX)
- Deputy Chief of Adminstration position description (PDF)

RILEY COUNTY POSITION ACTION FORM

Requisition Approval Process

Submitted by Russel Stukey on 01/18/2024 at 06:35 AM

Internal Position Details (not displayed on job posting)

Company
Riley County, KS

Position Template
Deputy Fire Chief of Administration [DCA]

Work Location
CPE Building

Job ID
2184352

Salary
$63,939.20-$72,259.20

Supervisor Position
Yes

Pay Grade
RANGE 15 [RANGE 15]

EEO Class
Technicians [3]

Workers Compensation
7710 [7710]

Cost Center 1
Riley Co Fire Dist #1 [183]

Cost Center 2
Fire District #1 [183]

Cost Center 3
--

1 Job Slot
DEPUTY -1

Supervisor: Russel Stukey

Department Head: Russel Stukey

☒No changes to Position or Budget

☒Position Description attached

Total annual hours: 2,080

☒Budgeted

☐New or updated position description

☐New request for budget (details attached)

Salary: $72,259.20

Budget for Benefits: $28,542.40

Total proposed annual budget: $100,801.60

Additional Position Comments: _____

BoCC Chair _____ Date: _____

BoCC Member _____ Date: _____

BoCC Member _____ Date: _____

Original document stored in Human Resources

Revised 2023-01

Attachment: 2024-01 Deputy Fire Chief of Admin PAF (14436 : Request to Fill)

RILEY COUNTY, KANSAS JOB DESCRIPTION

DEPUTY FIRE CHIEF of ADMINISTRATION

Department:	Emergency Management/Fire District #1	**Division:**	Riley Co. Fire Dist. #1
Reports To:	Emergency Management Director /Fire Chief		
Pay Grade:	**Range 15**	**Status:**	Full Time
FLSA Status:	Exempt		

Position Summary: The Deputy Fire Chief of Administration (DCA) is responsible for the administrative duties for RCFD#1 and response to emergency incidents and, when necessary, assume command and control of those incidents. Response duties will be shared with the Deputy Fire Chief of **Operations** (DCO) and the Director. Management of RCFD#1 record keeping systems and associated reporting requirements. Serve as the primary code enforcement officer for the district. Develop and implement the RCFD#1 training program, jointly with the DCO for staff, under the direction of the Director. Assist Director with district budget preparation and tracking of expenditures. Assist with development and implementation of district policies and procedures. The DCA will be the lead in managing technology-based issues with firefighting equipment. In regards to Public Relations the DCA will act as a high level representative for the District in external interactions with the media, civic organizations, citizen groups, and other governmental agencies for the dissemination of fire service and district related information, coordination of inter-agency emergency response coverage, and the establishment of cooperative working relationships to assist in achieving District operational objectives. Personnel Management will be a shared responsibility with the DCO. The DCA assumes command of the Fire District in the absence of the Director.

ESSENTIAL FUNCTIONS:

- Rotate on-call fire response schedule with DCO for defined periods of time, such as alternating weeks to provide support and supervision of emergency response crews.
- Manage fire investigation related to individual fire response.
- Jointly supervise a volunteer workforce of 155 plus volunteer employees with the DCO.
- Manage RCFD#1 compliance with Kansas State Fire Marshall Office fire reporting requirements, maintain and analyze fire response data, and produce reports and presentations as needed.
- Jointly plan, coordinate and execute the RCFD#1 Fire and First Response training program.
- Manage RCFD#1 technology-based equipment to ensure readiness.
- Assist in managing the Fire District's operational equipment to ensure readiness.
- Assist with strategic planning for RCFD#1.
- Serve as the lead code enforcement officer for the district.
- Serve command staff role at major emergencies and assume the position of fire chief during a declared disaster.
- Assist DCO with annual inventory of all department owned equipment.
- Attend various fire-training schools or seminars necessary to perform the functions of the job. All other duties as assigned.
- Other duties as assigned

POSITION REQUIREMENTS: Education: A high school diploma or equivalent required.
License(s)/Certifications: Firefighter I and Instructor I certifications by an accredited institution or equivalent education and experience. Fire Officer I Certification and State certification for Arson

DRAFT

Attachment: Deputy Chief of Adminstration position description (14436 : Request to Fill)

Investigator is preferred. Must obtain First Responder certification or higher within 3 years of hire date. A valid Kansas Non-Commercial Class B Driver's license is required.

Experience: At least 4 years' experience in fire-fighting training and supervision activities, preferably with a volunteer organization. Demonstrated experience with the operation and maintenance of larger (1-ton capacity or larger) vehicles/apparatus is also required. Must demonstrate skill and knowledge in the use of the Incident Command System, utilized in exercises and actual emergency response.

Applicable combination of experience and education considered in lieu of the above requirements.

Skills: Must have demonstrated skill in fire-fighting techniques, including structure and wildland fires. Must have ability in supervision and capacity to establish and maintain effective relationships with employees and volunteers. Must be self-motivated and have the ability to motivate others. Must be able to exercise good judgement in appraising emergency situations and to make appropriate decisions. Must have mechanical aptitude sufficient to inspect fire apparatus, to diagnose problems, and to explain needed repairs to responsible party. Must have ability to read maps and find emergency locations using county addressing system. Must have a basic knowledge of reporting requirements for the Kansas Fire Incident Reporting System. Basic knowledge of Microsoft Office computer programs required.

Physical Demands: The physical demands represent those required to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is required to stand; walk; sit; use hands to finger, handle, or feel; reach with hands and arms; climb or balance; stoop, kneel, crouch, or crawl; talk or hear and smell. The employee must regularly lift and/or move up to 20 pounds and during emergency situations lift and/or move up to 150 pounds. Employee must drive County vehicles long distances, across the county, on paved an unpaved surface. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus. Movements over rough terrain and stooping and crawling in close quarters may result in extreme physical exertion. Must be able to pass an annual physical. Must be able to wear a self-contained breathing apparatus according to NFPA standards.

Must be willing and have the ability to work such hours as are necessary to accomplish the job requirements, remain awake for long periods of time (including 24 hour periods) under strenuous situations, remain on-call 24 hours a day for defined periods such as alternating weekends, attend meetings, seminars, and conferences during or after work hours, travel out of town or out of state for several days at a time, work under adverse conditions such as those inherent in emergency firefighting situations, consistently follow through with duties/assignments and work harmoniously with subordinates and superiors.

Work Environment: The work environment characteristics represent those encountered while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Attachment: Deputy Chief of Adminstration position description (14436 : Request to Fill)

DRAFT

While performing the duties of this job, the employee is exposed to wet and/or humid conditions; moving mechanical parts; high, precarious places; fumes or airborne particles; toxic or caustic chemicals; outside weather conditions; extreme cold; extreme heat; risk of electrical shock; explosives; risk of radiation; and vibration. The noise level in the work environment is usually moderate.
During emergency response the DCA will encounter many hazardous conditions which frequently require special precautions and the use of protective clothing and equipment. The DCA will encounter critically high stress conditions during and following emergency and disaster situations.

Must reside within Riley County within 60 days of hire date.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if work is similar, related or a logical assignment of the position.

The job description does not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

DRAFT

Attachment: Deputy Chief of Adminstration position description (14436 : Request to Fill)

PLANNING & DEVELOPMENT
Project

Amanda Webb
Planning/Special Projects Director
110 Courthouse Plaza
Manhattan, KS 66502
Phone: 785-537-6332

COMMISSION AGENDA REPORT

FROM: **Amanda Webb, Planning Director**

MEETING: **January 22, 2024**

SUBJECT: **Keats Environmental Assessment - Request for Professional Services procedure**

PRESENTER: **Amanda Webb, Planning Director**

BACKGROUND

USDA-Rural Development requires an Environmental Assessment be performed for the proposed Keats non-discharging lagoon. We will also apply for KDHE's State Revolving Loan Fund program, and the assessment must incorporate those requirements as well.

We received a proposal from the consultant who performed the assessment for the City of Manhattan connection in 2021 and as it was over $20,000, we must follow the Request for Proposals process.

At the December 21, 2023 meeting, the BOCC approved issuing the RFP, copy attached. Proposals were due by January 10, 2024.

DISCUSSION

We received four proposals, all of which are attached within your packet. As per Riley County procurement code, the Department Head and the Board of County Commissioners comprise the Selection Committee. I'd also like Brian Foster, BG Consultants Engineer, to be a part of the committee. The Selection Committee shall evaluate the consultant submitted proposals and shall select in order of preference, based upon the criteria outlined in the RFP, at least two (2) firms deemed to be the most highly qualified to provide the services required. I've attached a scoring sheet with the applicable criteria for your use to whittle down the four proposals to at least two. Once those are selected, we will schedule interviews with the selected firms. As this project is highly time sensitive, we will want to work quickly and efficiently to select the firms and get

interviews scheduled as soon as possible. The original RFP outlined a tentative selection schedule that unfortunately, due to unforeseen circumstances, has already had to change and be delayed. It would be ideal to have the chosen firm under contract as soon as possible in order to meet the Environmental Assessment June submittal deadline. Therefore, I am asking you to complete your score sheets and have your top firms selected by January 26, 2024. I will then immediately contact those firms to schedule interviews as soon as possible.

Additionally, we've recently been notified by USDA that our Rural Development application has been considered incomplete as the environmental assessment was not done by the end of their fiscal year. I have confirmed with Austin Masters that we do not have to redo the income surveys (which was the reason for the push to submit our RD application by September 30; USDA began using updating census numbers on October 1 and the concern was that this change would potentially render Keats ineligible for any grant funding). We do, however, need to use updated Riley County numbers but Mr. Masters believes the project is still eligible for a percentage of grant funding (which will not be determined until the Letter of Conditions is issued in May/June). He strongly recommended we continue with the priority goal of submitting the Environmental Assessment by June so we can potentially take advantage of programs that will grandfather the project even though the Cultural Resources Survey would not be done in that same time frame.

Senator Moran's office has placed a call to USDA in support of our application.

FISCAL IMPACT

Proposal costs ranged from $6,500 to $138,000 for this service, of which the Keats district residents will ultimately be responsible for paying. However, this should come from the ARPA funding the BOCC allocated towards this project or any technical assistance grant funding we may receive from the Kansas Water Office (any award will not be announced until end of Q1 at the earliest).

Enclosures:

- Keats EA RFP (PDF)
- GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project (PDF)
- EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (PDF)
- Proposal for Riley County Keats Environmental Assessment_JEO (PDF)
- RFP Response Keats Sewer Dist - Riley Co (PDF)
- Score sheet (PDF)

RILEY COUNTY
REQUEST FOR CONSULTANT PROPOSALS

Environmental Assessment for a community lagoon/public sanitary sewer system for the unincorporated community of Keats.

Riley County, Kansas, is requesting qualification statements from professional consultants to complete an Environmental Assessment for a community lagoon/public sanitary sewer system for the Keats Sewer Benefit District.

Background:
The rural residential community of Keats, located approximately four miles west of the City of Manhattan, has never had a centralized sewer system. The small residential lots are served by individual on-site wastewater systems, most of which do not conform to today's Sanitary Code. Residents have been dealing with failing septic systems for the past several years. Most homes within the district are on undersized lots that could not support a conforming system should their current system fail. The Keats Sewer Benefit District has 67 connections and an estimated population of 168 (based on the average persons per household).

After evaluating a variety of options over the years, including connection to the City of Manhattan, Riley County is proposing to construct a new, non-discharging lagoon to meet the needs of the Keats residents and remedy the issue. The county is in the process of acquiring the land where the lagoon is proposed. The location of the lagoon on this selected property is within the 100-year floodplain.

A Preliminary Engineering Report, prepared by BG Consultants, exists for the project and the county has made application to the USDA Rural Development program for grant/loan assistance. USDA-RD requires an environmental assessment be completed for funding. The county will also apply for Kansas Department of Health and Environment's State Revolving Loan Fund program.

Scope of Services:
The consultant is expected to coordinate with the Project Engineer as well as the County on all required tasks.

Tasks the consultant must address-

- Create a comprehensive project description that includes the need for the project, scope of proposed improvements, location of improvements, and how the need will be met by this project. Include an aerial view/map that shows the location of all planned improvements and system facilities, including any alternate sites.
- Send scoping letters, to include project description, to federal, state, and local agencies which USDA Rural Development requires be notified to solicit agency review of the proposed project, and to request NEPA comments.

Attachment: Keats EA RFP (14432 : Keats RFP proposals)

- Complete research and discovery to determine how the proposed project may impact environmental resources of concern to USDA-RD, KDHE-SRF, and other public funding agencies.
- Provide a completed environmental assessment to meet USDA-RD, and KDHE-SRF, requirements in accordance with NEPA standards. The assessment shall include the following, at minimum:
    - The purpose and need for the proposed action;
    - The affected environment, including baseline conditions that may be impacted by the proposed action and alternatives;
    - The environmental impacts of the proposed action including the No Action alternative, and, if a specific project element is likely to adversely affect a resource, at least one alternative to that project element;
    - Any applicable environmental laws and Executive Orders;
    - Any required coordination undertaken with any Federal, state, or local agencies or Indian tribes regarding compliance with applicable laws and Executive Orders;
    - Mitigation measures considered, including those measures that must be adopted to ensure the action will not have significant impacts;
    - Any documents incorporated by reference, if appropriate, including information provided by the applicant for the proposed action; and
    - A listing of persons and agencies consulted.
- Any required cultural study would be contracted separately by the County, but the consultant shall assist the County in procuring these services.

<u>The county will provide-</u>

- Preliminary Engineering Report
- Maps/aerial views
- All agency required studies to be incorporated into the environmental assessment.
- Any other information, documents, or engineering that may be necessary to complete the assessment.

Contractual Provisions:
In addition to the Scope of Services, the consultant contract shall include Riley County's Contractual Provisions Attachment.

Budget:
The consultant's proposal should include a detailed cost analysis which defines the proposed cost for performing the required assessment, including any elements that are fixed or variable.

Anticipated timeline (subject to change as necessary):

Event	**Date**
Release RFP	December 27, 2023
RFPs due	5:00 pm, January 10, 2024
Committee review	January 11-12, 2024
Interview firms/recommendation	January 16-19, 2024
BOCC makes final decision and authorizes staff to negotiate a contract	January 22, 2024
Notification of selected consultant	January 23, 2024
Contract settled and consultant begins	January 26, 2024
Final EA due	June 1, 2024

Attachment: Keats EA RFP (14432 : Keats RFP proposals)

Submission Requirements:

- Cover page:
  - Title of project
  - Date of submittal
  - Firm name/address/phone
  - Primary contact/email address/phone
- Qualifications:
  - Summarize experience/qualifications for each person assigned to the project. Please do not include full resumes.
  - Outline experience with environmental assessments, particularly those required by USDA and pertaining to public sanitary sewer projects.
  - Provide your understanding of the project and the tasks the consultant is responsible for.
  - Indicate that there will be enough staff assigned to the project as necessary to meet the timeline.
- Budget/Scope of Work
  - Include response to requirements listed in the Scope of Services, including a description of the expected process to be undertaken for environmental review.
  - Include your scope of work/deliverables and the associated cost to each.
- References
  - Provide three (3) references of past clients for whom similar work has been performed and involved at least one of the primary team members listed in the proposal.
  - Include the contact person's name, title, firm, address, telephone number, which consultants were involved in the project, and the year the project was completed.

Directions for Submission: Provide ten (10) copies of the submittal by 5:00 pm on January 10, 2024. Mail copies to the following address:

Amanda Webb
Planning Director
110 Courthouse Plaza
Manhattan, KS 66502

Submissions may be submitted electronically to: awebb@rileycountyks.gov. All questions should be directed to Amanda Webb at awebb@rileycountyks.gov or (785) 537-6332.

Evaluation criteria:

- All items provided as per submission requirements.
- Demonstrated understanding of the project and tasks consultant is responsible for.
- Experience with environmental assessments, specifically those required by USDA and pertaining to public sanitary sewer projects.
- Timeline.
- Availability and experience of professional staff assigned to the project.
- Basic knowledge of Riley County.

Screening process:

A Selection Committee comprised of the Board of County Commissioners, Planning & Development Department staff, and staff from other county departments will begin the initial

Attachment: Keats EA RFP (14432 : Keats RFP proposals)

screening process. Selected firms will then be interviewed by the Selection Committee. The committee's recommendation for selection of the consultant will be reviewed by the Board of County Commissioners, which will make the final decision, prior to development of a Scope of Services and contract.

Disclaimers:
Riley County reserves the right to reject any and all proposals. All costs including travel and expenses incurred in the preparation of this proposal shall be borne by the proposing firm. All work product, whether hard copy or electronic, shall remain the property of the county and shall be provided to the county upon completion of the contract or upon request.

All persons awarded and/or entering into contracts with Riley County shall be subject to and required to comply with all applicable City, State, and Federal provisions pertaining to non-discrimination, Equal Employment Opportunity, and Affirmative Action.

Attachment: Keats EA RFP (14432 : Keats RFP proposals)

RESPONSE TO REQUEST FOR PROPOSALS

USDA Environmental Assessment
Keats Sewer Benefit District
Lagoon/Public Sanitary Sewer System Project

Riley County, Kansas
Submitted electronically on January 10, 2024

RILEY COUNTY

RILEY COUNTY
KANSAS

CONTACT
Brett Waggoner
Partner/Grant Specialist

Mobile: (785) 760-2148
Email: brett@govassistsvcs.com
Website: www.govassistsvcs.com

Governmental Assistance Services
PO Box 187
Lawrence, Kansas 66044

GOVERNMENTAL ASSISTANCE SERVICES

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

January 10, 2024

Riley County, Kansas
Amanda Webb, Planning Director
110 Courthouse Plaza
Manhattan, Kansas 66502

RE: Response to Request for Proposals for Environmental Assessment for the Keats Sewer District Lagoon/Sanitary Sewer Project

Dear Ms. Webb and Selection Committee Members:

GAS is pleased to submit our qualifications and proposal for the Keats Sewer Project. We have assembled a strong team to ensure on-time, on-budget delivery of the project. Our team has the experience and knowledge to address all aspects of the required services.

We believe our team stands out to lead this effort because:

- **We bring unparalleled experience:** As your project manager, I have directed project development teams as a project manager at a multidisciplinary consulting firm for 14 years and nearly 5 years at GAS. My invaluable experience within project delivery teams has consistently proven beneficial to our clients across various projects. Communicating with engineering and architectural professionals, contractors, regulatory agency officials, and local elected officials is key to delivering a successful project. I've spent the last 23 years developing relationships and solving problems with key stakeholders from across the state and region.

- **We know USDA projects:** Our firm routinely participates in USDA-funded projects in a variety of roles, including income surveys, RDApply application assistance, and environmental reviews and assessments. We keep up to date on USDA requirements and have great working relationships with USDA staff at all levels across the state.

- **We know environmental assessments:** Every year, we help our clients develop project financing packages that include USDA funding, often in conjunction with other funding agencies. While the benefits of the program are substantial, there are several specific steps and procedures that need to be properly followed and documented to ensure compliance with environmental requirements. On the following pages, you will see that we have recently completed several environmental assessments that are similar in nature to the Keats project.

- **We are available to complete the project on time:** We will work with your engineers and county staff to properly complete the assessment as soon as possible. We know what it takes to get each step completed on time and we are ready to step in immediately to begin work.

Our goal is always for our clients to be able to rely on our team to deliver a complete, timely environmental package for each project. Please contact me with any questions you may have or for additional information regarding our approach to the project.

Sincerely,

Brett Waggoner, Partner/Grant Specialist

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

GOVERNMENTAL ASSISTANCE SERVICES

ORGANIZATIONAL PROFILE AND QUALIFICATIONS

Governmental Assistance Services (GAS) was established in 1986 for the sole purpose of providing professional technical expertise to city and county governments as well as other political subdivisions. Our primary areas of expertise are the Kansas Department of Commerce Community Development Block Grant (CDBG) program, the Kansas Department of Health & Environment State Revolving Loan Fund (KDHE SRF) and United States Department of Agriculture Rural Development Loan/Grant Program (USDA-RD). In recent years, we have experienced success in federal and state grants for broadband, utility infrastructure, transportation, and firefighting. We also served as administrators for over $20 million dollars in CARES Act and ARPA funds for our city and county clients.

At GAS, we have a dedicated team of full-time professionals, both in the field and office, who excel in grant writing, low-to-moderate income surveying, grant administration, environmental reviews, and loan applications. Our unparalleled reputation and extensive list of achievements underscore our expertise in these areas. Our company employs four full time grant writers and administrators: D. Garrett Nordstrom, Brett Waggoner, Maria Elena Cuevas, and Sara Waggoner. Together, we have a combined 70+ years in the state and federal infrastructure funding sector.

The preparation of a USDA Environmental Assessment not only requires the technical ability to get the project completed properly and timely, but also makes it necessary for the preparer to have a good working relationship with the departments, agencies and tribes that are contacted for responses. In the past 38 years, GAS has developed an excellent working relationship with the personnel of all of these entities. In addition, no other administrative consultant in the state has more experience with BG Consultants led projects.

In the last 20+ years alone, our company has teamed up with more than 60 different Kansas communities to successfully partner with USDA-RD for funding. Many of the communities that we consider to be our valued clients have utilized USDA-RD funding for multiple projects over the years, and we have supported them with environmental assessments, median household income surveys, and RDApply application assistance.

We are very familiar with sewer and lagoon improvement projects and have helped our clients navigate the environmental assessment process successfully for dozens of projects, including recently in Valley Falls, Wakefield, Hiawatha, Linwood - projects very similar to yours. GAS co-owner Brett Waggoner is a former civil engineer with a wealth of experience in water and sewer projects and he will be your point of contact for this particular project.

Our company has adequate personnel to prepare and submit your assessment and is available to work on your project immediately, following the attached timeline. We are available for a personal interview at your convenience, and we look forward to hearing back from you soon.

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

BUDGET AND SCOPE OF WORK

The fee below is based on the provided scope of work and our relevant experience on recent, similar projects. If selected, we will begin work immediately for the lump sum fee shown below.

PHASE	FEE
Project Coordination & Environmental Assessment	$6,500

**publication costs for public notices will be the responsibility of the county; we will coordinate the publications and have the publication costs either billed directly to the county or added to our invoice – whichever the county prefers.*

We have contracted previously with Riley County for the income surveys we performed on this project and are amenabl to the county's contractual provisions.

We fully understand the following scope of services and have provided a brief response to address each task:

The consultant is expected to coordinate with the Project Engineer as well as the County on all required tasks.

- ***We have reviewed the PER and visited with BG's staff about the project location and expected environmental concerns.***

Create a comprehensive project description that includes the need for the project, scope of proposed improvements, location of improvements, and how the need will be met by this project. Include an aerial view/map that shows the location of all planned improvements and system facilities, including any alternate sites.

- ***We have reviewed the PER and will prepare a project scope draft to be reviewed and approved by the project engineer and county staff before distribution.***

Send scoping letters, to include project description, to federal, state, and local agencies which USDA Rural Developmer requires be notified to solicit agency review of the proposed project, and to request NEPA comments.

- ***We will prepare letters an distribute them in accordance with USDA requirements. We will track responses and provide further information, if requested by the responding agency or tribe. Responses will be summarized and included in the final assessment, including any requested mitigation measures.***

Complete research and discovery to determine how the proposed project may impact environmental resources of concern to USDA-RD, KDHE-SRF, and other public funding agencies.

- ***We will thoroughly complete this task and coordinate all responses and proposed mitigation measures with the project engineer and county staff for inclusion in the final project plans and specifications as required by each agency.***

Provide a completed environmental assessment to meet USDA-RD, and KDHE-SRF, requirements in accordance with NEPA standards. The assessment shall include the following, at minimum:

- The purpose and need for the proposed action
- The affected environment, including baseline conditions that may be impacted by the proposed action and alternatives

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

- The environmental impacts of the proposed action including the No Action alternative, and, if a specific project element is likely to adversely affect a resource, at least one alternative to that project element
- Any applicable environmental laws and Executive Orders
- Any required coordination undertaken with any Federal, state, or local agencies or Indian tribes regarding compliance with applicable laws and Executive Orders
- Mitigation measures considered, including those measures that must be adopted to ensure the action will not have significant impacts
- Any documents incorporated by reference, if appropriate, including information provided by the applicant for the proposed action; and
- A listing of persons and agencies consulted.
    - ***We are intimately familiar with all these requirements and will prepare a completed environmental assessment that is in full compliance with each agency's established guidelines. In addition, we will keep an open line of communication with each agency and immediately respond to any requests for additional information as needed.***

Any required cultural study would be contracted separately by the County, but the consultant shall assist the County in procuring these services.

- ***We have recent experience on several projects with this task and have a good working relationship with many of the state's cultural resources study providers. Last week we were able to assist a client on a USDA project by helping them procure and contract a cultural resources study with the consultant working on the site in less than 72 hours.***

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

RECENT GAS USDA ENVIRONMENTAL ASSESSMENTS

Year	Client	Engineer	Project Type	Special Conditions
2020	City of Alma, KS	BG Consultants	Natural Gas (multi-phase)	Floodplain, cropland conv.
2021	City of Linn Valley	BG Consultants	Lagoon/Sewer Rehab	Cultural resources survey
2021	Valley Falls	PEC	Lagoon/Sewer Rehab	Floodplain
2022	Miami County	BG Consultants	Sewer force main	Cultural resources survey
2023	City of Wakefield	BG Consultants	Lagoon	Floodplain, cropland conv.

This is a partial recent list. We have performed over 30 environmental reports and assessments on projects ranging from water and sewer to natural gas and electrical infrastructure in the last 5 years alone.

REFERENCES

City of Alma, KS
Sherry Smith
City Clerk
326 Missouri Avenue
Alma, KS 66401
(785)765-3922
ssmith@cityofalma-kansas.com

Miami County, KS
Shane Krull
County Administrator
201 S. Pearl, Suite 200
Paola, KS 66071
(913)294-9500
skrull@miamicountyks.org

City of Wakefield, KS
Julie Murphy
City Clerk
609 Grove Street
Wakefield, KS 67487
(785)461-5886
cityofwakefield@twinvalley.net

*references for Valley Falls and Linn Valley not provided due to changes in administrative staff at those cities

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

ENVIRONMENTAL ASSESSMENT PROPOSED TIMELINE

RILEY COUNTY/KEATS USDA ENVIRONMENTAL ASSESSMENT
PRESENTED JANUARY 10, 2024

Execute Contract	Jan. 26, 2024
Receive Project Descriptions/Maps from Engineer	Jan. 26, 2024
Prepare and Distribute 1st Round Letters	Jan. 26, 2024
Waiting Period (30 calendar days)	Feb. 25, 2024
Floodplain Notice 1 – Early public Notice	Jan. 30, 2024
Floodplain Waiting Period (15 calendar days)	Feb. 15, 2024
Floodplain Notice 2 – Notice of Explanation	Feb. 16, 2024
Floodplain Waiting Period (7 calendar days)	Feb. 23, 2024
Compile Responses/Prepare Report	Feb. 26, 2024
Submit Report to USDA for Review	March 1, 2024
USDA Review Period	(4-8 weeks estimated)

*NOTE – this proposed timeline can be altered by several factors, including but not limited to agency or tribal requests for cultural resources studies or natural resource studies; publication dates and waiting periods are based on current USDA requirements

Attachment: GAS Proposal for USDA Environmental Assessment Keats Sewer Benefit District LagoonPublic Sanitary Sewer System Project

Environmental Works, Inc.

January 10th, 2024

Amanda Webb
Planning Director
110 Courthouse Plaza
Manhattan, KS 66502
awebb@rileycountyks.gov

Subject: Riley County Kansas (Keats Sewer Benefit District)
Request for Qualifications (RFQ) for
Environmental Consulting Services (Due 01/10/2024)

Ms. Webb and Committee Members:

Environmental Works, Inc. (EWI), a small business, is pleased to submit our response to the RFQ for an Environmental Assessment Consultant for Riley County Kansas. Enclosed you will find a detailed response of qualifications outlined in the format requested.

Thank you for your consideration, and we look forward to being of service. If you have any questions or comments regarding this response, feel free to contact our proposed Program Manager, Mandy Flageolle, P.G., via email at mflageolle@environmentalworks.com or by phone at (913) 669-8205.

Sincerely,
ENVIRONMENTAL WORKS, INC.

Amanda K Flageolle

Mandy Flageolle, P.G.

Attachments: A-EWI Equipment and Rate Sheet

CC: Environmental Works, Inc.- Proposal Files

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

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Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

1.0 QUALIFICATIONS

Environmental Works, Inc. (EWI) is a privately-owned, full-service environmental consulting and contracting services firm. Founded in 1992, EWI is licensed to work across the country and abroad. Driven by a bold vision and a strong entrepreneurial spirit, EWI has supported a diverse client base across the country for over 30 years from its headquarters in Springfield, Missouri, with additional offices in Kansas City and Poplar Bluff, MO, Tulsa, OK, Denver, CO, Springdale, AR, Omaha, NE, Indianapolis, IN and Carondelet, IL. EWI has sustained healthy growth through diversification and continual optimization of our firm's service lines including environmental due diligence, National Environmental Policy Act (NEPA) and regulatory act compliance, investigation and remediation, emergency response, and field services and has surpassed 360 employees.

Our client base includes governmental entities at the municipal, county, state, and federal levels in the public sector; utilities, manufacturers, petrochemical producers and marketers, non-for-profit organizations, railway providers, land-trusts and conservation districts and transportation and energy companies subject to the NEPA, and other private sectors. Our staff features environmental professionals with decades of experience including but not limited to professional engineers, geologists, hydrogeologists, licensed inspectors, chemists, biologists, and regulatory policy experts; our contracting services group includes company personnel not limited to heavy equipment operators, in-house drillers, and spill response professionals. With the right personnel and equipment, EWI has proven we can meet any public entity or private companies' environmental needs on any sized project from a simple wetland delineation, or tank removal project to multi-phase interagency NEPA coordination projects.

Examples of US Federal Funded Projects involving EWI personnel:

- Mid-American Regional Council, Assessment
- City of Kansas City, Missouri, Remedial Loan Fund Projects, and Consultation
- Kansas Department of Health and Environment, Assessment
- City of Springfield, Missouri, Assessment
- El Centro, Inc., Workforce Development and Job Training
- Missouri Career Center, Workforce Development and Job Training
- Multiple Indiana Communities, Assessment

1.1 Personnel

Program Manager
Mandy Flageolle

Ms. Flageolle, the proposed program manager for this project, has 20 years of environmental consulting experience. As a Registered Geologist and Environmental Professional, she manages and delegates more than 500 nationwide due diligence projects each year. These projects include National Environmental Policy Act (NEPA) Reviews (ERR), Phase I Environmental Site

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Assessments (ESAs), Risk-Consulting Management and SBA Records Search with Risk Assessments (RSRA). Ms. Flageolle assists clients through the due diligence process, mentors the due diligence team, and conducts quality assurance and quality control of project deliverables. As mentioned below, Ms. Flageolle has led hundreds of projects like the one for EWI client Pheasants Forever. This project included Phase I ESA's, regulatory reviews and baseline documentation report. Furthermore, Ms. Flageolle has conducted and managed over 650 Phase I ESAs ranging from undeveloped land, cellular towers, wind energy developments, multi-family residential structures, gasoline stations, multi-tenant shopping centers, research facilities, industrial facilities, automobile repair facilities, and office/commercial buildings. Ms. Flageolle has conducted multiple Phase I ESAs to comply with HUD and SBA requirements. In conjunction with Phase I ESAs, managed client driven scopes providing site specific information on asbestos containing materials (ACM), mold, radon, lead-based paint, natural areas review, threatened and endangered species review, historic sites review, historic properties/archaeological resources review, and wetland reviews. Lastly, in conjunction with Phase I ESAs, Ms. Flageolle has conducted visual inspections of properties including multi-family residential structures, office buildings, retail malls, commercial developments, and heavy industrial sites in KS and MO.

1.2 Additional Key Personnel and Scientist

Samantha Rosado, Associate Scientist

Ms. Rosado is an Associate Scientist whose primary responsibilities include conducting ASTM E1527-21 Phase I Environmental Site Assessments (ESAs). Samantha is a recent graduate from Oklahoma State University (OSU) in Tulsa, OK. She obtained her M.S. degree in Environmental Science with a focus in Environmental Policy. During her time at EWI, Samantha has also conducted Property Condition Assessments (PCAs), Initial Site Assessments (ISAs), Wetland Delineation Surveys, and Threatened & Endangered Species Habitat Surveys. Ms. Rosado has performed project work in Oklahoma, Kansas, Missouri, Arkansas, Texas, Nebraska, Kentucky, Colorado, Michigan, Minnesota, Illinois, Louisiana, Alabama, Florida, and North Carolina. Ms. Rosado conducts Environmental Assessments and associated environmental reviews for a variety of commercial properties in accordance with the National Environmental Policy Act, Endangered Species Act, Clean Air Act, Clean Water Act, Safe Drinking Water Act, Noise Control Act, Executive Order 11988 regarding floodplain management, and Executive Orders 12898 and 13045 regarding environmental justice and health risks. Environmental reviews are also conducted in accordance with funding requirements from corresponding federal agencies. Ms. Rosado conducted Environmental Assessments for Health Resources and Services Administration (HSRA) funded projects in Kansas and Missouri in 2023. These assessments involved early coordination with government agencies and project stakeholders, research regarding potential environmental impacts and applicable mitigation, and the reporting of findings through technical reports.

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Joshua Price Associate Scientist

Mr. Price has over 20 years of environmental consulting experience which includes due diligence, site assessments/characterizations, cleanup/removal projects, NEPA assessments, wetland delineations, asbestos and lead based paint surveys, technical writing, and project management. Mr. Price has assisted a wide range of clients including state and federal governments, and private entities. Mr. Price has performed NEPA assessments for the Indiana Department of Transportation (INDOT), the City of Eudora, Kansas, and a private client that specializes in residential development for special needs residents. For these assessments, Mr. Price was involved with early coordination with government agencies and project stakeholders, research regarding potential environmental impacts and applicable mitigation, and the reporting of findings through technical reports and submission through the Housing and Urban Development (HUD) Environmental Review Online System (HEROS). In addition, Mr. Price conducted wetland delineation and waters investigations with subsequent reporting for some of these projects. For INDOT projects, Mr. Price also assisted with permitting with the U.S. Army Corps of Engineers (USACE) and Indiana Department of Environmental Management (IDEM), and with public notice and public meetings associated with the NEPA process.

Nick Godfrey, Client Manager and Industrial Hygienist

Mr. Godfrey has over 15 years of experience in the environmental services industry. Mr. Godfrey's experience includes managing and overseeing due diligence assessments, conducting and managing hazardous materials and industrial hygiene assessments (asbestos, lead paint, chemical exposure assessments and waste management), field/industrial services, abatement and remediation oversight and coordination. He has served as Project Manager for 32 tasks delivered under the U.S. EPA Superfund Technical Assessment (START) 2 and 3 contracts. He is certified in Hawaii, Kansas, Iowa, Nebraska, and Missouri to perform asbestos inspections. He is certified in Kansas to perform lead inspections and risk assessments. He is experienced in managing large scale hazardous material surveys, and in the design and coordination of abatement oversight projects. Mr. Godfrey served as project and field manager for environmental consulting and abatement oversight services at the Historic Empire Theater in the Power & Light District of Kansas City, Missouri. Mr. Godfrey was responsible for asbestos air clearance testing, employee exposure OSHA testing, and managing abatement activities. He provided technical expertise to provide innovative identification and abatement techniques to further site development. He also served as the project manager who conducted asbestos, mold, and lead-based paint inspections at the 185,000 SF building known as the Former American Century Plaza building on behalf of Metropolitan Community Colleges (MCC) of KCMO. Mr. Godfrey managed and coordinated the authoring of abatement specifications and air monitoring plans for an occupied/active building setting. Mr. Godfrey conducted IAQ monitoring and air sampling to document containment goals. He coordinated abatement permitting with KCMO Air Quality and MoDNR. Managed an emergency abatement including indoor air quality sampling and performed oversight of final abatement and closeout final reporting to the City of KCMO and MoDNR.

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Gracie Tiffany, Assessment Operations Manager

Ms. Tiffany is the Operations Manager and Quality Control Manager for the Assessment Department at Environmental Works, Inc. She is responsible for providing senior review, technical oversight, and quality assurance for projects completed within the department, as well as project management, client management, and project design and cost estimating. She has over 16 years of experience performing environmental consulting services ranging from due diligence to remediation construction with clients that include private corporations, municipalities, and state and federal agencies. She has experience developing and implementing complex investigation plans for environmental projects including Phase I and II Environmental Site Assessments (ESAs), Petroleum Site Assessments and Hazardous Waste Site Assessments, underground storage tank closures and Risk Assessments, and Hazardous Material Surveys with asbestos and lead-based paint inspections. She has extensive experience working on projects funded by Brownfield remediation grants through the City of Kansas City, Missouri and the Kansas Department of Health and Environment. Ms. Tiffany completed Phase I Environmental Site Assessments for commercial, industrial, residential, rural, and historic properties, as well as area wide assessments and large industrial facilities throughout the country. The ESAs were prepared to conform to All Appropriate Inquiry requirements and ASTM Standards. Ms. Tiffany designed and implemented Phase II ESAs investigations to evaluate environmental concerns and environmental risks associated with a property. Ms. Tiffany developed Quality Assurance Project Plans (QAPP), Work Plans, Sampling and Analysis Plans (SAPs), and Health and Safety Plans (HASP) for Phase II ESAs and subsurface investigations for local government, state and EPA approval. Implemented investigation plans, provided technical oversight of field activities, and evaluated data to determine the presence of subsurface impacts and associated the risk. Investigations have included hydraulic probing and drilling, installation of temporary and permanent groundwater monitoring wells, field screening, field collection of metals data using XRF, and collection of soil, groundwater, soil gas, sub-slab soil gas, and indoor air samples for laboratory analysis.

Lastly, Ms. Tiffany performed NESHAPs, OSHA, and AHERA compliant asbestos inspections at a wide variety of properties for renovation, demolition or transaction purposes. In addition, performed lead-based paint (LBP) inspections using X-ray fluorescent methods and/or through the collection of paint chips in accordance with US Department of Housing and Urban Development (HUD) Guidelines. Significant experience conducting building surveys on abandoned and dilapidated properties for redevelopment. Ms. Tiffany provided quantification of asbestos containing materials (ACM) and LBP and estimated abatement costs. Ms. Tiffany prepared Operation and Maintenance (O&M) plans for the in place management of asbestos and LBP.

1.3 EWI Project Experience

Over our years in the industry, EWI has provided support for municipal and county development authorities in both rural and suburban areas. Our experience has led us to develop a

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

knowledgeable approach to managing regulated agency programs under department of transportation (DOT), department of housing and urban development (HUD), Brownfields, the department of agriculture (USDA) and the environmental protection agency (USEPA) programs inclusive of NEPA. Along with running these programs, we have the required experience to follow all federal guidelines, which results in EWI projects being executed within budget and on time. Please see below for EWI experience with environmental assessments and more.

- EWI was retained by the City of Eudora Kansas to prepare a NEPA analysis as part of a grant application submittal for the U.S. DOT, Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant. NEPA requires that social, economic, cultural, and natural environmental impacts of any proposed action by the federal government be analyzed for decision-making and public information purposes. After applying for this grant multiple times, the City of Eudora was awarded funding, and EWI completed the NEPA assessment and has since provided the City of Eudora with an Environmental Assessment report which provides an analysis of potential environmental impacts, recommendations for potential further assessment, additional agency involvement and applicable permitting, and anticipated mitigation, where applicable. To complete the Environmental Assessment per NEPA, EWI performed a red flag investigation, desktop reviews, early coordination (Native American Tribes, government agencies, and other project stakeholders), environmental justice screening, stream and wetland investigations with subsequent reporting, and teamed with a subcontractor to perform an archaeological survey as requested by the Kansas State Historic Preservation Office (SHPO). A Finding of No Significant Impact (FONSI) is expected for this project following environmental review. Mr. Joshua Price, EWI, served as the project manager for this project.

- EWI was retained by The Vecino Group, LLC to prepare an Environmental Assessment for the Espero housing project in Chattanooga, Tennessee. In addition, EWI performed a Phase I ESA and an asbestos survey for the property. To complete the Environmental Assessment per NEPA, EWI performed desktop reviews, environmental justice screening, and coordinated with the City of Chattanooga Economic Development Department and the Tennessee Housing Development Agency (THDA). EWI provided the client and THDA with an Environmental Assessment report. In addition, EWI submitted pertinent information from the report to HUD via HEROS. A FONSI is anticipated for that project. Mr. Joshua Price, EWI, served as the project manager for this project. EWI's relationship with Vecino group spans nationwide and most of EWI Assessment team personnel have worked on these projects.

- EWI Program Manager Mandy Flageolle conducted two (2) Phase I ESAs and Baseline Documentation Reports (BDRs) for Pheasants Forever in May 2023. One property consisted of 157 acres in Stafford County, Kansas and the other property consisted of 155 acres in Reno County, Kansas.

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

The large agricultural properties were researched to determine the historical and current uses using methods required by the American Society for Testing Materials International (ASTM) E2247-16 Standard. In addition, regulatory record review and interviews with local regulatory agencies were conducted.

EWI reviewed conservation easements to satisfy Section 1.170A-14(g)(5) of the federal tax regulations for both properties. The BDRs described the physical features and current land uses of the property on which the perpetual conservation easement and restrictions which were conveyed to the Grantee. The easements were established to protect the Conservation Values of the Protected Property in perpetuity, which include, but not limited to, preserving productive capacity, soil resources; protection of ecological diversity, wildlife habitat, and watersheds; and preservation and appreciation of scenic open space.

EWI reviewed documentation and conducted site reconnaissance to verify the current condition of the property prior to the property transaction. The findings were documented for the client in a notarized report.

- EWI performed sanitary and sewer upgrades for a major rail carrier's rail yard in Springfield Missouri. The carrier discharged a combination of industrial water, storm water, and sanitary sewer water through a common conveyance system to a City system regulated by a City-issued permit. When the City reissued the permit (under consent decree from the EPA) requiring a schedule of compliance to "fully address both the removal of all stormwater and eliminate I&I from the collection system", the rail carrier immediately asked several national engineering service partners and EWI to present ideas, technical approaches, and approximate costs to address this new permit condition. The rail carrier committee chose EWI to work on the project due to the holistic approach offered by EWI. This approach contended with the permit requirements, on-site operational drainage issues, remediation concerns, and aging infrastructure for a relatively low cost. Aside from overall project management, EWI was able to provide engineering design / support, construction oversight, and direct construction services for the project.

  The scope of services included, culvert and sewer line cleaning, sewer line camera investigation, re-routing service track roof drains, construction of a 360,000 gallon storm water retention area, installation of approximately 2,500 feet of new HDPE force main piping, horizontal boring of approximately 200 feet beneath tracks, installation of two new lift stations and sediment basins, installation of new electrical transformers and connections, installation of approximately 3,000 feet of cured in place pipe, abandonment of approximately 3,000 feet of structurally compromised clay tile sewer line, installation of an approximately 8,000 gallon underground oil/water separator with

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associated oil storage tank, and installation of various concrete and asphalt walkways and surface improvements.

Project accomplishments included approximately 35% reduction in annual discharge to the City resulting in annual cost savings on utilities and reduction in annual maintenance of facility infrastructure, compliance with City issued permit requirement for facility improvements, allowing costs to be incurred over a course of time and basic facility changes to be incorporated into the improvements, improved infrastructure for industrial and sanitary water use, characterization and cleanup of former remediation concerns resulting in reduced financial and environmental liability, eliminated drainage concerns near the main line tracks and reused excavated clean soils to fill in former low areas within the facility.

1.4 EWI Understanding of Project and Responsibilities

EWI understands the purpose and need of this project, which is to provide the village of Keats with a much-needed centralized sewer system. In addition to the current individual sewer systems not meeting sanitary code, the lot sizes for many of the homes are not adequately sized to support code-compliant systems. In addition, there are health and safety concerns should any of the individual systems fail. To satisfy the purpose and need of this project, a non-discharging lagoon has been proposed, which will serve the residents of Keats as a centralized sewer system.

Because federal funding will be used for the proposed project, a NEPA assessment will be required to determine if any impacts to the environment and/or minority or low-income populations are anticipated. The NEPA assessment will also determine if permitting and mitigation are necessary. EWI will assist Riley County with the NEPA assessment to help make those determinations, and to ensure the assessment follows the guidance provided by the United States Department of Agriculture (USDA) Farm Service Agency (FSA) and is in accordance with 40 CFR 1500-1508. Alternatives, including a no build alternative, will be considered and included in the assessment. The tasks to be completed for this assessment include the following:

- Development of a purpose and need for the project, including a description of the project with accompanying maps, aerial photographs, and construction drawings.
- Early coordination with government agencies, Native American tribes, and other project stakeholders.
- Desktop research to determine any impacts to the environment.
- Descriptions of additional coordination required with government agencies (e.g., Section 404 permitting).
- Descriptions of any anticipated mitigation measures.
- Submittal of an Environmental Assessment report detailing findings.

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The NEPA assessment will clearly state the purpose and need of the project and will also provide a description of the project and planned activities with relevant maps, aerial photographs, and construction drawings.

1.5 EWI Staff Availability

Our proposed project team will be comprised of environmental due diligence, regulatory compliance and NEPA experts. EWI proposes to also employ professional staff to the project as needed, including engineers, geologists and scientists based in Kansas and other nearby Midwest offices. EWI's numerous unique qualifications for this engagement truly center around the technical and NEPA experience of our proposed project team, which ultimately includes the entire availability of the 360 personnel that make up EWI's workforce. This workforce has extensive experience with regulatory agencies and the processes involved with all types of permitting. EWI conducts thousands of new projects every year, we manage the project goals, budgets, and timelines by utilizing numerous scheduling tools for the efficiency of each project. Some of these tools include Excel scheduling workbooks, Work Plans, Gantt charts, Deltek and VTM which is a software program/website created by EWI staff to help in assigning tasks and reminders for upcoming events as well as client dashboard options. This ensures that EWI personnel and our client will remain involved and up to date with the proposed timeline and project concerns.

2.0 BUDGET/SCOPE OF WORK

2.1 Early Coordination

As a first step in the process, EWI will prepare and send early coordination letters to federal, state, and local governmental agencies. The early coordination letters will also be sent to Native American tribes listed on the Kansas SHPO webpage. If other stakeholders are identified, such as private property owners, the early coordination letter will be sent to them as well. This will give all early coordination letter recipients a 30-day response period to voice any concerns regarding potential impacts resulting from the proposed project. The early coordination letter will include an introduction that describes why the letter has been sent, a project description including where the project is located and what is proposed, directions on how to respond with concerns regarding environmental impacts, an enclosed map and site layout, and a distribution list of who received the early coordination letter.

2.2 Research of Potential Environmental and Environmental Justice Impacts

Concurrently with developing and sending the early coordination letters, EWI will use mapping applications such as NEPAssist, to identify areas of potential impact (red flag investigation). The red flag investigation is a quantitative analysis of infrastructure, water, hazardous materials, historical features, and other data within a half-mile of the proposed project and is intended to

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quickly identify environmental features that may impact the project early in the process. Information obtained during this portion of the assessment will be used to inform additional decision making in the project process.

To satisfy NEPA requirements, EWI will perform desktop research to determine if the proposed project will have any impacts to the environment and/or minority or low-income residents. Desktop research will be performed for the following:

- Social/Economic/Environmental Justice
- Farmland Impacts
- Wetland/Stream Impacts (Waters of the U.S.)
- Water Quality Impacts
- Floodplain Impacts
- Air Quality Impacts
- Noise Impacts
- Historical and Archaeological Resources Impacts
- Parkland and Public Lands Section 4(f) & 6(f) Impacts
- Threatened and Endangered Species
- Hazardous Waste

In addition to information provided by early coordination responses and the red flag investigation, various informational sources will be used to research the topics listed above. The materials used for this research will be included as appendices in the final Environmental Assessment report submitted to Riley County.

2.3 Environmental Assessment Report

The research performed by EWI will be provided in an Environmental Assessment report. The report will include a comprehensive project description with accompanying materials such as maps, aerial photographs, and construction drawings (as appendices). The report will include the project purpose and need. In addition, the report will list proposed alternatives to the project. The findings of impacts or no impacts for the above-listed categories will be discussed. If additional agency coordination is required, it will be discussed in the report as well. The report will also include a list of preparers and references used when preparing the report along with applicable appendices that include supporting documentation. If desktop research or early coordination letter responses indicate additional field studies are warranted, EWI will notify Riley County. For example, if the Kansas SHPO determines a cultural survey is necessary, EWI will provide that information to Riley County in a timely manner. If additional field studies are deemed necessary, EWI may be able to provide those additional services (i.e, wetland delineation, Phase I Environmental Site Assessment).

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2.4 Budget Estimate

EWI's 2024 Standard Rate Table, inclusive of our Direct and Indirect Costs, is included in Attachment A for general reference. An estimated budget is provided in the table below.

Budget Estimate

SCOPE OF WORK	ESTIMATED COST	ESTIMATED TIMELINE
Early Coordination	$2,500.00	Within 10 business from Notice to Proceed
Research of Potential Impacts	$10,000.00	Conducted concurrently within governmental agencies 30-day response period
Environmental Assessment Report	$3,500.00	Completed within 10-15 business days from receiving agency concurrences.

The scope of services may also be extended to include other strategic environmental services, at the request of Riley County, Kansas.

3.0 REFERENCES

1. Vecino Group (305 W. Commercial St. Springfield, MO 65803)- Kim Buche, Chief Administration Officer can be reached by phone at (417) 720-1577. For over a decade, EWI has provided NEPA assessments, risk management, due diligence, and general environmental business counsel to the Vecino Group. All personnel mentioned above have worked on Vecino projects over the years.

2. KDHE (1000 SW Jackson St. Ste 410 Topeka, KS 66612) -Gary Richards, Unit Manager for the Kansas Department of Health and Environment. Gary can be reached by phone at (785) 291-3246. Projects consisted of Brownfields redevelopment, ESA's, Tank closures and analytical for soil and groundwater. EWI Project Manager Nick Godfrey led this program.

3. City of Eudora (4 East 7th Street, Eudora KS 66025)-Branden Boyd, Public Works Director, he can be reached by phone at (785) 542-4116, bboyd@cityofeudoraks.gov. EWI provided NEPA analysis, outreach, red flag investigations and desktop reviews, early coordination (Native American Tribes, government agencies, and other project stakeholders), EWI Project Manager Josh Price served as the project manager.

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ATTACHMENT A

2024 EWI Rate Sheet

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Standard Rates

PERSONNEL, VEHICLES, & TRAILERS			
Labor Code	**Personnel - Regular Hour Rate**	**Hourly Rate**	
Field Services Staff		**Straight Time**	**Overtime**
130	Senior Project Manager (Field)	$150.00	$225.00
032	Drilling Supervisor	$125.00	$187.50
102	Project Manager (Field)	$120.00	$180.00
083	Licensed Driller	$105.00	$157.50
053	Field Supervisor	$90.00	$135.00
150	Welder	$85.00	$127.50
124	Operator / Driver	$80.00	$120.00
224	Pipe Fitter	$78.00	$117.00
033	Drilling Technician	$72.00	$108.00
042	Environmental Technician	$72.00	$108.00
057	Field Technician	$72.00	$108.00
Consulting Services Staff		**Straight Time**	**Overtime**
159	Senior Project Engineer (PhD / PE)	$250.00	$250.00
216	Systems Programmer	$195.00	$195.00
158	Principal	$200.00	$200.00
036	Professional Engineer (PE)	$175.00	$175.00
119	Senior Project Manager	$160.00	$160.00
035	Project Engineer	$160.00	$160.00
156	Certified Tank / Weld / Integrity Inspector (STI/API)	$155.00	$155.00
160	Licensed Geologist	$145.00	$145.00
219	Data Analyst	$145.00	$145.00
217	Senior Systems Technician	$125.00	$125.00
102	Project Manager	$125.00	$125.00
157	Project Scientist / Geologist	$115.00	$115.00
071	Health & Safety Officer	$110.00	$110.00
199	Systems Technician	$110.00	$110.00
013	Associate Engineer	$105.00	$105.00
190	Lab-pack Chemist	$105.00	$105.00
014	Associate Scientist	$105.00	$105.00
009	Asbestos / Lead Inspector	$95.00	$95.00
016	AutoCAD / GIS Technician	$90.00	$90.00
004	Administrative Assistant	$60.00	$60.00

Billing Unit	Vehicles & Trailers	Rate	UOM
B0485	Response Vehicle	$55.00	hour
B0200	Field Truck 3/4 ton or less	$35.00	hour
B1294	Field Truck 1 ton or greater	$40.00	hour
B0196	Field Truck 1 ton or greater w/ lift gate	$52.00	hour
B0195	Field Truck 2 1/2 ton with Auto Crane	$52.00	hour
B1292	Field Truck 2 ton	$50.00	hour
B0241	Guzzler (16 cubic yard)	$163.00	hour
B1190	Hi-Rail Guzzler	$230.00	hour
B1199	Winch Truck	$97.00	hour
B0538	Stainless Steel Vacuum Truck (3,000 gallon)	$132.00	hour
B0580	Vacuum Truck (3,000 gallon)	$112.00	hour
B0180	Dump Truck	$92.00	hour
B0494	Rolloff Truck	$117.00	hour
B1010	Pump Truck w/ Tooling	$87.00	hour

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Environmental Works, Inc.

2024 Standard Rates

PERSONNEL, VEHICLES, & TRAILERS			
Billing Unit	**Vehicles & Trailers cont.**	**Rate**	**UOM**
B1223	Box Truck (20ft)	$102.00	hour
B0109	ER Box Truck	$170.00	hour
B0224	Freight Liner Rollback	$57.00	hour
B0519	Semi Tractor (Daycab - Over the Road (OTR))	$87.00	hour
B1253	OTR w/ Vacuum Tanker (5,500 gallon)	$127.00	hour
B1255	OTR w/ Crude Oil Tanker	$122.00	hour
B1254	OTR w/ Double Rolloff Trailer	$127.00	hour
B1256	OTR 48' Box Trailer with Liftgate	$125.00	hour
B1257	OTR w/ 40-Ton Lowboy Trailer	$127.00	hour
B0480	Response Trailer (16-20')	$95.00	hour
B0481	OSRO Trailer	$68.00	hour
B0546	Tank Cleaning Trailer	$52.00	hour
B0172	Dump Truck Tag Trailer	$40.00	hour
B0420	Project Support Trailer	$32.00	hour
B0560	Gooseneck Trailer	$32.00	hour
B0559	Flat Bed Trailer	$22.00	hour
B1282	Dredge Trailer	$50.00	hour
B1224	OTR w/ Walking Floor Trailer	$127.00	hour
B0175	Dump Trailer	$17.00	hour
B0384	Pneumatic Conveyer (Grain Vac)	$127.00	hour

TOOLS & EQUIPMENT			
Billing Unit	**Tools, Generators, Compressors, Lighting, & Water Blasters**	**Rate**	**UOM**
B1047	Stoneage Automated Tube Lansing	$500.00	day
B0297	Hydro Blaster (20,000 - 40,000 PSI)	$162.00	hour
B1225	Hydro Blaster Support Trailer	$52.00	hour
B0005	Additional 1 Inch x 50 foot 20,000 PSI hose	$52.00	day
B0097	BJV or Warthog head	$30.00	hour
B0031	3D Nozzle with Cage 20,000 PSI	$250.00	day
B0022	2D Nozzle with Cage 20,000 PSI	$150.00	day
B0171	Dry Ice Blaster (Dry Ice charged separately)	$750.00	day
B0322	Line Jetter 4,000 PSI 12 GPM	$750.00	day
B0323	Line Jetter 4,000 PSI 25 GPM	$870.00	day
B0073	Air Compressor 375 CFM	$435.00	day
B0072	Air Compressor 125 to 210 CFM	$360.00	day
B0074	Air Compressor, Gasoline, Portable	$75.00	day
B0319	Light Tower	$225.00	day
B0218	Forklift	$100.00	day
B0246	Hand Tools & Portable Power Tools	$130.00	person/day
B0229	Generator, up to 8,000 watt	$100.00	day
B0258	Portable Heater (Plus Fuel)	$100.00	day
B0397	Portable Light Stand	$40.00	day

Billing Unit	**Pressure Washer**	**Rate**	**UOM**
B0257	Heated Pressure Washer 7,000 PSI	$67.00	hour
B0256	Heated Pressure Washer up to 4,000 PSI	$57.00	hour
B0694	Non-Heated Pressure Washer up to 2,500 PSI	$10.00	hour

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Environmental Works, Inc.

2024 Standard Rates

TOOLS & EQUIPMENT			
Billing Unit	**Heavy Equipment**	**Rate**	**UOM**
B0186	Excavator (30,000-50,000 lbs.)	$138.00	hour
B0524	Skid Loader - Small	$97.00	hour
B1226	Skid Loader - Large	$107.00	hour
B1227	Skid Loader Attachments (broom, brush hog, grapple bucket, etc)	$10.00	hour
B0339	Mini Excavator	$97.00	hour
B0340	Mini-Vac (500 gallon)	$72.00	hour
B0556	Tractor	$60.00	hour
B0157	Ditch Witch	$75.00	hour
B0085	UTV / ATV / Gator	$25.00	hour

Billing Unit	Vacuum Equipment	Rate	UOM
B1282	Dredge w/ trailer	$1,750.00	day
B0582	Vent Brush System	$750.00	day
B1259	Portable Vacuum	$350.00	day
B0345	Negative Air Machine	$325.00	day
B0332	Mercury Vac (plus filter change)	$325.00	day
B0575	HEPA Vac (plus filter change)	$225.00	day
B0170	Drum Vac	$150.00	day
B0386	Pneumatic Tornado Vac	$115.00	day
B0458	Ranger Dust Vacuum System	$95.00	day
B0576	Wet Dry Vac	$50.00	day
B0376	8" Hard Suction Pipe	$2.90	foot
B0375	6" Hard Suction Pipe	$1.70	foot
B0242	Guzzler Flex Hose	$2.40	foot

Billing Unit	Pumps & Pumping Accessories	Rate	UOM
B0422	1 Inch Double Diaphragm (Chemical)	$130.00	day
B0423	1 Inch Double Diaphragm	$55.00	day
B0425	2 Inch Double Diaphragm (Chemical)	$255.00	day
B0426	2 Inch Double Diaphragm	$90.00	day
B0429	2 Inch Poly Centrifugal	$110.00	day
B0431	2 Inch Venturi Liquid/Slurry Pump (used with 25 GPM Line Jetter)	$110.00	day
B0430	2 Inch Trash Pump	$80.00	day
B0427	2 Inch Electric Roper Pump	$35.00	day
B0433	3 Inch Double Diaphragm	$180.00	day
B0435	3 Inch Trash Pump	$155.00	day
B1308	3 Inch Electric Roper Pump	$500.00	day
B0436	4 Inch Dri Prime Trash Pump	$265.00	day
B0439	6 Inch Dri Prime Trash Pump	$330.00	day
B0442	6 Inch Hydraulic Submersible Pump w/ Hydraulic Power Pack	$460.00	day
B1096	6 Inch Electric Submersible Pump	$500.00	day
B0299	Hydraulic Hose Set for Hydraulic Submersible (50 foot section)	$48.00	day
B0445	Draw Down Pump	$190.00	day
B0449	Submersible Pump	$35.00	day
B0448	Peristaltic Pump	$35.00	day
B1288	High Volume Air Pump	$50.00	day
B1289	Low Volume Air Pump	$25.00	day
B0326	Low Flow GW Sampling Pump & Controller	$104.00	day

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Environmental Works, Inc.

2024 Standard Rates

TOOLS & EQUIPMENT			
Billing Unit	**Pumps & Pumping Accessories cont.**	**Rate**	**UOM**
B1228	Stainless Steel Blackmer w/ Power Pack	$1,000.00	day
B0536	Stainless Steel Filter Vessel	$375.00	day
B0118	Carbon Steel / Polymer Filter Vessel	$275.00	day
B0226	General Use Hose (Garden Hose)	$70.00	each
B0264	1 Inch Chemical Hose	$0.60	foot
B0269	2 Inch Petroleum Hose	$0.85	foot
B0266	2 Inch Chemical Hose	$1.20	foot
B0267	2 Inch Food Grade Hose	$1.50	foot
B0274	3 Inch Petroleum Hose	$1.20	foot
B0271	3 Inch Chemical Hose	$1.60	foot
B0272	3 Inch Food Grade Hose	$2.10	foot
B0280	4 Inch Lay Flat Hose	$27.00	section
B0287	6 Inch Lay Flat Hose	$42.00	section
B0277	4 Inch Hard Suction	$17.00	section
B0284	6 Inch Hard Suction	$27.00	section

Billing Unit	Oil Spill Equipment	Rate	UOM
B0168	Drum Skimmer TDS 118G	$205.00	day
B1229	Drum Skimmer TDS 118G w/ Power Pack	$500.00	day
B0103	10 Foot Boat	$52.00	day
B0099	12-16' Boat with Motor	$155.00	day
B1048	16 Foot Boat	$52.00	day
B0100	17 Foot Boat with 40hp Jet Motor	$205.00	day
B0101	20 Foot Boat with 115hp Motor	$310.00	day
B0102	26 Foot Boat with twin 115hp Motors	$775.00	day
B0314	Leaf Blower	$55.00	day
B0317	Life Vest / Per Person	$25.00	day
B0550	Tee Boom Connector	$10.00	day
B0105	Boom Anchor System	$10.00	day
B0108	Boom Tow Bridle	$5.00	day
B0249	Hard Shell Buoy 12"	$1.50	day
B0106	Containment Boom 4" x 6"	$1.60	foot/day
B0107	Creek Boom 2" x 4"	$0.80	foot/day

Billing Unit	Portable Storage	Rate	UOM
B0398	Portable Office (20' x 8')	$170.00	day
B0396	Portable Fuel Storage Tank	$65.00	day
B0630	Frac Tank 20,000 Gallons	$100.00	day
B0631	Frac Tank 10,000 Gallons	$75.00	day
B0395	Portable Containment	$70.00	day
B0389	Poly Tank 2,000 to 3,000 Gallons	$20.00	day
B0390	Poly Tank 500 to 1,500 Gallons	$15.00	day
B0577	Vac Box	$75.00	day
B0491	Roll Off 25 Yard	$25.00	day
B0403	Portable Storage Unit (20' x 8')	$10.00	day

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Environmental Works, Inc.

2024 Standard Rates

TOOLS & EQUIPMENT			
Billing Unit	**Confined Space Equipment**	**Rate**	**UOM**
B0325	Lombrico Remote Control Confined Space Cleaner	$1,900.00	day
B0132	Confined Space Assembly	$350.00	day
B0188	Explosion Proof Light	$150.00	day
B1310	Breather Box	$150.00	day
B1309	Cascade Air System	$250.00	day
B0382	Pneumatic Air Fan 11,000 CFM	$120.00	day
B0182	Electric Blower 930 CFM	$80.00	day
B0383	Pneumatic Air Blower 3,500 CFM	$80.00	day
B0193	Fall Protection Ensemble	$90.00	person/day

Billing Unit	Monitoring Equipment	Rate	UOM
B0588	Waste Water Auto Sampler	$350.00	day
B0602	X-ray Fluorescent (XRF) Analyzer	$350.00	day
B1089	XRF Lead Paint Sampler (SciAps)	$500.00	day
B0569	Ultra-Rae 3,000 Benzene Meter Plue SEP Tubes	$260.00	day
B0778	Electronic Process Meter	$55.00	day
B0032	4 Gas Meter	$170.00	day
B0033	4 Gas Meter w/ PID	$180.00	day
B1178	Landfill Gas Meter	$350.00	day
B1258	Survey Equipment (RTK GPS)	$180.00	day
B1290	Survey Equipment (Total Station)	$300.00	day
B1161	Multiparameter Groundwater Meter	$175.00	day
B1188	Water Quality Meter (Multi-Parameter)	$130.00	day
B1173	Insulation Tester (MEG Meter)	$40.00	day
B1172	Flow Sensor (Pitot Tube)	$100.00	day
B1168	Digital Micromanometer	$35.00	day
B0456	Radon Test Kits	$25.00	each
B0370	Photo Ionization Meter (PID)	$80.00	day
B0305	Interface Probe	$65.00	day
B0545	GPS Unit	$50.00	day
B0591	Water Level Indicator	$42.00	day
B0150	Digital pH Meter	$32.00	day
B1272	PCM Analysis	$20.00	sample

Billing Unit	Specialty Equipment	Rate	UOM
B0096	Betts Emergency Unloading Valve	$300.00	day
B0111	Bunker Gear	$200.00	day
B0514	SCBA	$250.00	day
B0548	Tank Nibbler	$200.00	day
B0542	Supplied Air Respirator	$200.00	day
B0324	Locator/Transmitter	$145.00	day
B1130	Belt Conveyor	$500.00	day
B1271	Intrinsically Save Extensions	$450.00	day
B1230	Maxi Miller Drain Cleaner	$150.00	hour
B1231	Rotary Duct Cleaner	$750.00	day
B1232	HepAir Duct Cleaner	$750.00	day
B1233	VisioAir Duct Cleaner	$1,000.00	day
B1283	Pipe Pressure Testing Kit	$200.00	day

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Environmental Works, Inc.

2024 Standard Rates

TOOLS & EQUIPMENT			
Billing Unit	**Specialty Equipment cont.**	**Rate**	**UOM**
B1234	Floor Scanner (MFE)	$800.00	day
B0572	Wall Crawler (MFE)	$800.00	day
B0486	Riding Lawn Mower	$210.00	day
B0592	Weed Eater	$90.00	day
B1260	Portable Torch Kit w/ Gasses	$175.00	day
B1261	Transfer Fittings Charge	$550.00	each
B1235	Steam Cleaner	$65.00	hour
B1236	Weed Sprayer	$25.00	hour
B1274	Smoke Machine	$140.00	day
B0570	Ultrasonic Thickness Meter	$65.00	day
B0380	Plug & Patch Kit	$35.00	day
B0583	Ventilation Fan (per fan)	$30.00	day
B0472	Respirator	$30.00	day
B0356	Non-Sparking Tool Kit	$27.00	day
B0303	Infield Laptop	$27.00	day
B1237	Blasting Pot	$500.00	day
B0400	Portable Radios	$22.00	day
B1162	Crane Mats	$25.00	day
B0219	FRC Clothing	$17.00	person/day

Billing Unit	Drone Equipment & Operators	Rate	UOM
182	UAV Pilot	$150.00	hour
183	Flight Safety Observer	$75.00	hour
184	Data Processor	$100.00	hour
B1044	Drone	$150.00	hour
B1045	Drone w/ Thermal Imaging	$275.00	hour

Billing Unit	Cameras	Rate	UOM
B0489	Intrinsically Safe CCTV Crawler System	$250.00	hour
B0487	Rigid Push Camera	$40.00	hour
B0551	Thermal Camera	$20.00	hour
B1293	CCTV Crawler System	$185.00	hour

Billing Unit	Drilling Equipment	Rate	UOM
B0361	Optical Image / Hydraulic Profiler Combination (OIHPT)	$2,500.00	day
B0360	Optical Image Profiler (OIP)	$2,000.00	day
B0294	Hydraulic Profiler (HPT)	$1,400.00	day
B0446	Grout Pump	$200.00	day
B0244	Hand Auger	$50.00	day
B0532	Rotary Sonic Drill Rig	$350.00	hour
B0079	Air Rotary Drill	$250.00	hour
B1238	3100 GT Truck Mounted Drill Rig	$175.00	hour
B1239	CME Auger Rig	$150.00	hour
B1287	Mud Rotary Rig	$450.00	hour
B0682	Water Truck	$50.00	hour

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Standard Rates

TOOLS & EQUIPMENT			
Billing Unit	**Drilling Equipment cont.**	**Rate**	**UOM**
B1240	Geoprobe 6620 Unit (Direct Push)	$100.00	hour
B1241	Geoprobe 7822 Unit (Direct Push)	$150.00	hour
B1163	Geoprobe 3230 Unit (Direct Push)	$175.00	hour
B1242	Borehole Camera	$200.00	hour
B1243	Concrete Saw 12"	$100.00	hour
B1244	Pneumatic Diverter	$30.00	hour
B1115	Pump Truck	$75.00	hour
B1245	Mechanical Syringe Pump PFAS	$150.00	hour
B1246	Packer System & Pump	$250.00	hour
B0238	Ground Penetrating Radar	$85.00	hour

Billing Unit	Environmental Systems Equipment	Rate	UOM
B0635	Air Sparging SVE Trailer	$1,250.00	day
B1217	Vapor Extraction/Air Sparging Trailer	$2,500.00	day
B1247	Dual Phase Remediation Unit	$2,000.00	day
B1101	Technician Tools	$130.00	person/day
B1270	Environmental Sytems Truck w/ Tools	$45.00	hour

CONSUMABLES			
Billing Unit	**PPE**	**Rate**	**UOM**
B0225	Fully Encapsulated Level B Suit	$300.00	each
B0263	Hip Waders	$160.00	each
B0296	Hydro Blasting Coveralls	$110.00	each
B0240	Guardian Acid Suit	$95.00	each
B0512	Saranex Coveralls	$38.00	each
B0387	Poly Coated Tyvek Coveralls	$25.00	each
B0568	Tyvek Coveralls	$18.00	each
B0567	Tychem QC Coveralls	$22.00	each
B0295	Hydro Blast Boots	$160.00	pair
B0252	Haz Mat Boots	$130.00	pair
B0498	Rubber Boots	$45.00	pair
B0311	Latex Boot Covers	$8.00	pair
B0253	Haz Mat Tape	$47.00	each
B0119	Caution Tape	$22.00	each
B0174	Duct Tape	$17.00	each
B0959	Rags	$47.00	box
B1286	Pipe (for Pipe Bed Trailer)	$5.00	foot
B0766	Dip Gloves	$15.00	pair
B0315	Leather Gloves	$15.00	pair
B0348	Nitrile Gloves	$15.00	box
B0454	PVC Gloves	$10.00	pair
B0499	Rubber Gloves	$8.00	pair
B0346	Neoprene Gloves	$7.00	pair
B0353	Nitrile Over Cotton Gloves	$7.00	pair
B0408	Level A PPE	$2,500.00	each
B0409	Level B PPE	$200.00	person/day
B0411	Level C PPE	$150.00	person/day
B0413	Modified Level D PPE	$50.00	person/day

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Standard Rates

CONSUMABLES			
Billing Unit	**Covid Decon. & Sanitation**	**Rate**	**UOM**
B0990	Electrostatic Sprayer / Per Day	$125.00	day
B0217	Fogger / Per Day	$50.00	day
B0535	Sprayer / Per Day	$20.00	day
B0192	Face Shield	$15.00	each
B1041	Single Station Personnel Decon	$30.00	each
B0636	MediClean / Quat Ammonium / Per Gallon	$60.00	gallon
B0935	Iso Propyl Alcohol / Per Gallon	$60.00	gallon
B0936	BioEsque Solution / Per Gallon	$60.00	gallon

Billing Unit	Respiratory Protection	Rate	UOM
B0201	Filter 3M Acid Gas	$27.00	each
B0202	Filter 3M Ammonia	$25.00	each
B0204	Filter 3M HEPA	$25.00	each
B0206	Filter 3M Multi-Gas	$25.00	each
B0207	Filter 3M Organic Vapor	$27.00	each
B0201	Filter 3M Organic Vapor Acid Gas	$27.00	each
B0203	Filter 3M Chemical Plus HEPA	$40.00	each
B0205	Filter 3M Mercury / Chlorine	$40.00	each
B0209	Filter 3M Particulate	$22.00	each
B0479	Respirator Wipes	$25.00	each
B0513	SCBA Bottle Refill	$30.00	each
B1248	Benzene SEP Tubes	$25.00	each
B0511	Large SAR Bottle Refill	$140.00	each

Billing Unit	Absorbents & Chemicals	Rate	UOM
B0069	Acid Pads 18" x 18"	$190.00	bundle
B0127	Clor N Oil / Clor N Soil Kit	$160.00	each
B0064	Absorbent Boom 8" x 10'	$158.00	bundle
B0062	Absorbent Boom 5" x 10'	$138.00	bundle
B0066	Absorbent Pads 18" x 18"	$87.00	bundle
B1305	Fentanyl Decon Solution	$165.00	each
B1304	Fentanyl Detection Wipes	$40.00	box
B0125	Citric Acid	$90.00	bag
B1265	Hypochlorous Acid	$35.00	gallon
B0236	Grass Seed (25lb)	$85.00	bag
B0526	Soda Ash	$60.00	bag
B0321	Lime	$60.00	bag
B0533	SpaghSorb	$50.00	each
B1038	Cement	$33.00	bag
B0130	Concrete	$10.00	bag
B0084	Asphalt	$9.00	bag
B1249	Muriatic Acid (Hydrochloric Acid)	$20.00	gallon
B0126	Clay Absorbent	$20.00	each
B1250	Bleach	$15.00	gallon
B0335	Micro Blaze	$57.00	gallon
B1220	Hydro Gel	$17.00	each

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Environmental Works, Inc.

2024 Standard Rates

CONSUMABLES			
Billing Unit	**Absorbents & Chemicals cont.**	**Rate**	**UOM**
B1291	Dry Ice	$3.00	pound
B0523	Simple Green	$20.00	gallon
B0509	Sand Bags	$13.00	bag
B0540	Straw Matting	$65.00	roll
B0369	pH Paper	$35.00	box

Billing Unit	Drums & Waste Disposal	Rate	UOM
B0391	250-Gallon Poly Tote	$365.00	each
B0920	275-Gallon Poly Tote	$415.00	each
B0392	330-Gallon Poly Tote	$475.00	each
B0059	95-Gallon Poly Overpack Drum	$395.00	each
B0055	85-Gallon Poly Overpack Drum	$350.00	each
B0056	85-Gallon Steel Overpack Drum	$350.00	each
B0047	55-Gallon Open Top Poly Drum	$135.00	each
B0046	55-Gallon Closed Head Poly Drum	$135.00	each
B0045	55-Gallon Steel Open Top Drum	$165.00	each
B0044	55-Gallon Steel Closed Head Drum	$140.00	each
B1251	30-Gallon Poly Drum	$115.00	each
B0011	15-Gallon Drum	$100.00	each
B0042	5-Gallon Biohazard Container	$160.00	each
B1307	30-55 Gallon Overpack Drum	$150.00	each
B1306	Vented Bung	$50.00	each
B0136	Cubic Yard Box	$120.00	each
B0137	Cubic Yard Clean Pack	$120.00	each
B0043	5-Gallon Plastic Pail	$17.00	each
B0379	Plastic Sheeting 6 mil 20' x 100'	$160.00	roll
B0098	Bladder Bag for Vac Box	$300.00	each
B0490	Roll Off Liners	$75.00	each
B0112	Burial Bag / Drum Liner	$7.50	each
B0388	Poly Drum Liners	$2.50	each

TERMS AND CONDITIONS

Labor

Overtime (1.5x) will be charged for work performed before 0700 and after 1700 hours, for work over 8 hours in a day, over 40 hours in a week, and weekends.

Double time (2x) will be charged for Holidays:

New Year's Day / Memorial Day / Labor Day / Independence Day / Thanksgiving Day / Friday after Thanksgiving Day Christmas Eve / Christmas Day

A Per Diem of $225.00 per person, per day will apply for food and lodging for out of town and overnight stays.

EWI reserves the right to bill meals and lodging at a cost plus basis at any time.

Litigation support services are 2.5 times the normal hourly rate.

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Standard Rates

TERMS AND CONDITIONS

Equipment

"Per Day" is a 12 hour shift or less, with the exception of portable storage containers.

Portable storage container price does not include delivery.

Equipment requested to be on hold in Standby, by a Client, is billed at one-half (1/2) the standard rate with the exception of non-EWI owned equipment which will be billed at the full standard rate plus markup.

Any equipment damaged at no fault of EWI, or at the direction of the Client, is repaired at the Client's expense and billed at cost plus, including up to replacement cost of the equipment.

All equipment, including stationary vacuum trucks, heavy vehicles and equipment, & boats are billed per the fuel surcharge chart below.

All prices are based on the U.S.E.I.A monthly average for the Midwest Region and can be found at www.eia.gov.

	Rate	UOM
Fuel Surcharge - Gallon of Diesel = $2.01-$2.50	3.00%	hour
Fuel Surcharge - Gallon of Diesel = $2.51-$3.00	4.00%	hour
Fuel Surcharge - Gallon of Diesel = $3.01-$3.50	5.00%	hour
Fuel Surcharge - Gallon of Diesel = $3.51-$4.00	6.00%	hour
Fuel Surcharge - Gallon of Diesel = $4.01-$4.50	7.00%	hour
Fuel Surcharge - Gallon of Diesel = $4.51-$5.00	8.00%	hour
Fuel Surcharge - Gallon of Diesel = $5.01-$5.50	9.00%	hour
Fuel Surcharge - Gallon of Diesel = $5.51-$6.00	10.00%	hour
Fuel Surcharge - Gallon of Diesel = $6.01-$6.50	11.00%	hour
Fuel Surcharge - Gallon of Diesel = $6.51-$7.00	12.00%	hour
Fuel Surcharge - Gallon of Diesel = $7.01-$7.50	13.00%	hour
Fuel Surcharge - Gallon of Diesel = $7.51-$8.00	14.00%	hour
Fuel Surcharge - Gallon of Diesel = $8.01-$8.50	15.00%	hour
Fuel Surcharge - Gallon of Diesel = $8.51-$9.00	16.00%	hour
Fuel Surcharge - Gallon of Diesel = $9.01-$9.50	17.00%	hour
Fuel Surcharge - Gallon of Diesel = $9.51-$10.00	18.00%	hour

Other

Any rented items, subcontractor, or materials purchased for a project will be billed at cost plus 25% markup.

IDLH and Levels A & B carry a surcharge of $10.00 per hour, per person.

Consumables rates may be adjusted following market dynamics (including availability).

Rate schedule may not be inclusive of all equipment, materials, and consumables.

These rates are subject to periodic review and adjustments as deemed necessary by EWI.

Applicable federal, state, and local taxes, except income and ad valorem, as they pertain to services, equipment rental, sales of material, manufacturer repair, delivery and/or transportation are the responsibility of the customer.

EWI will never become the Generator or accept ownership of waste materials from any job site.

A Waste Storage Fee of $100 per job for drums and $250 per job for roll off containers or frac tanks applies to all containers stored at a secured EWI facility.

EWI works at the discretion of the Client but reserves the right to stop work if unsafe conditions are encountered. EWI will not be held at fault for these work stoppages until the situation or condition is remedied.

EWI Terms are Net 30 from the date of the invoice unless previously agreed to, in writing, by EWI and the Client. EWI assesses a late fee on all unpaid balances after thirty (30) days at a rate of 1.5% per month. All legal and collections fees are the responsibility of the Client.

All rates represented Net 30 payment terms. Any negotiated terms greater than Net 30 are subject to higher rates.

Environmental Works, Inc. reserves the right to charge for items not included on this rate sheet.

Invoices will include a 5% Energy and Insurance fee.

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

PERSONNEL, VEHICLES, & TRAILERS			
Labor Code	**Personnel - Regular Hour Rate**	**Hourly Rate**	
Field Services Staff		**Straight Time**	**Overtime**
130	Senior Project Manager (Field)	$220.00	$330.00
032	Drilling Supervisor	$135.00	$202.50
102	Project Manager (Field)	$130.00	$195.00
083	Licensed Driller	$110.00	$165.00
053	Field Supervisor	$100.00	$150.00
150	Welder	$95.00	$142.50
124	Operator / Driver	$87.25	$130.88
224	Pipe Fitter	$88.00	$132.00
033	Drilling Technician	$80.00	$120.00
042	Environmental Technician	$79.50	$119.25
057	Field Technician	$79.50	$119.25
Consulting Services Staff		**Straight Time**	**Overtime**
159	Senior Project Engineer (PhD / PE)	$272.00	$272.00
216	Systems Programmer	$210.00	$210.00
158	Principal	$200.00	$200.00
036	Professional Engineer (PE)	$180.00	$180.00
119	Senior Project Manager	$170.00	$170.00
035	Project Engineer	$170.00	$170.00
156	Certified Tank / Weld / Integrity Inspector (STI/API)	$165.25	$165.25
160	Licensed Geologist	$150.00	$150.00
219	Data Analyst	$155.75	$155.75
217	Senior Systems Technician	$135.00	$135.00
102	Project Manager	$135.50	$135.50
157	Project Scientist / Geologist	$125.50	$125.50
071	Health & Safety Officer	$115.00	$115.00
199	Systems Technician	$120.50	$120.50
013	Associate Engineer	$120.75	$120.75
190	Lab-pack Chemist	$110.25	$110.25
014	Associate Scientist	$110.25	$110.25
009	Asbestos / Lead Inspector	$105.50	$105.50
016	AutoCAD / GIS Technician	$95.25	$95.25
004	Administrative Assistant	$68.00	$68.00

Billing Unit	Vehicles & Trailers	Rate	UOM
B0485	Response Vehicle	$55.00	hour
B0200	Field Truck 3/4 ton or less	$42.50	hour
B1294	Field Truck 1 ton or greater	$50.00	hour
B0196	Field Truck 1 ton or greater w/ lift gate	$62.50	hour
B0195	Field Truck 2 1/2 ton with Auto Crane	$62.50	hour
B1292	Field Truck 2 ton	$60.00	hour
B0241	Guzzler (16 cubic yard)	$183.25	hour
B1190	Hi-Rail Guzzler	$276.00	hour
B1199	Winch Truck	$117.50	hour
B0538	Stainless Steel Vacuum Truck (3,000 gallon)	$157.50	hour
B0580	Vacuum Truck (3,000 gallon)	$137.50	hour
B0180	Dump Truck	$117.50	hour
B0494	Rolloff Truck	$142.50	hour
B1010	Pump Truck w/ Tooling	$102.25	hour

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Environmental Works, Inc.

2024 Emergency Response

PERSONNEL, VEHICLES, & TRAILERS			
Billing Unit	**Vehicles & Trailers cont.**	**Rate**	**UOM**
B1223	Box Truck (20ft)	$122.50	hour
B0109	ER Box Truck	$170.00	hour
B0224	Freight Liner Rollback	$67.25	hour
B0519	Semi Tractor (Daycab - Over the Road (OTR))	$97.25	hour
B1253	OTR w/ Vacuum Tanker (5,500 gallon)	$152.50	hour
B1255	OTR w/ Crude Oil Tanker	$147.50	hour
B1254	OTR w/ Double Rolloff Trailer	$152.50	hour
B1256	OTR 48' Box Trailer with Liftgate	$150.00	hour
B1257	OTR w/ 40-Ton Lowboy Trailer	$152.50	hour
B0480	Response Trailer (16-20')	$95.00	hour
B0481	OSRO Trailer	$78.50	hour
B0546	Tank Cleaning Trailer	$62.40	hour
B0172	Dump Truck Tag Trailer	$50.00	hour
B0420	Project Support Trailer	$42.75	hour
B0560	Gooseneck Trailer	$42.75	hour
B0559	Flat Bed Trailer	$27.50	hour
B1282	Dredge Trailer	$62.50	hour
B1224	OTR w/ Walking Floor Trailer	$152.50	hour
B0175	Dump Trailer	$28.25	hour
B0384	Pneumatic Conveyer (Grain Vac)	$182.75	hour

TOOLS & EQUIPMENT			
Billing Unit	**Tools, Generators, Compressors, Lighting, & Water Blasters**	**Rate**	**UOM**
B1047	Stoneage Automated Tube Lansing	$600.00	day
B0297	Hydro Blaster (20,000 - 40,000 PSI)	$192.00	hour
B1225	Hydro Blaster Support Trailer	$73.00	hour
B0005	Additional 1 Inch x 50 foot 20,000 PSI hose	$83.00	day
B0097	BJV or Warthog head	$50.00	hour
B0031	3D Nozzle with Cage 20,000 PSI	$325.00	day
B0022	2D Nozzle with Cage 20,000 PSI	$180.00	day
B0171	Dry Ice Blaster (Dry Ice charged separately)	$900.00	day
B0322	Line Jetter 4,000 PSI 12 GPM	$850.00	day
B0323	Line Jetter 4,000 PSI 25 GPM	$1,015.00	day
B0073	Air Compressor 375 CFM	$510.00	day
B0072	Air Compressor 125 to 210 CFM	$440.00	day
B0074	Air Compressor, Gasoline, Portable	$90.00	day
B0319	Light Tower	$275.00	day
B0218	Forklift	$125.00	day
B0246	Hand Tools & Portable Power Tools	$156.00	person/day
B0229	Generator, up to 8,000 watt	$125.00	day
B0258	Portable Heater (Plus Fuel)	$150.00	day
B0397	Portable Light Stand	$75.00	day

Billing Unit	**Pressure Washer**	**Rate**	**UOM**
B0257	Heated Pressure Washer 7,000 PSI	$80.00	hour
B0256	Heated Pressure Washer up to 4,000 PSI	$65.00	hour
B0694	Non-Heated Pressure Washer up to 2,500 PSI	$12.00	hour

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Environmental Works, Inc.

2024 Emergency Response

TOOLS & EQUIPMENT			
Billing Unit	**Heavy Equipment**	**Rate**	**UOM**
B0186	Excavator (30,000-50,000 lbs.)	$153.00	hour
B0524	Skid Loader - Small	$112.00	hour
B1226	Skid Loader - Large	$122.00	hour
B1227	Skid Loader Attachments (broom, brush hog, grapple bucket, etc)	$15.00	hour
B0339	Mini Excavator	$117.00	hour
B0340	Mini-Vac (500 gallon)	$82.00	hour
B0556	Tractor	$75.00	hour
B0157	Ditch Witch	$85.00	hour
B0085	UTV / ATV / Gator	$30.00	hour

Billing Unit	Vacuum Equipment	Rate	UOM
B1282	Dredge w/ trailer	$2,000.00	day
B0582	Vent Brush System	$950.00	day
B1259	Portable Vacuum	$450.00	day
B0345	Negative Air Machine	$415.00	day
B0332	Mercury Vac (plus filter change)	$400.00	day
B0575	HEPA Vac (plus filter change)	$280.00	day
B0170	Drum Vac	$175.00	day
B0386	Pneumatic Tornado Vac	$165.00	day
B0458	Ranger Dust Vacuum System	$115.00	day
B0576	Wet Dry Vac	$60.00	day
B0376	8" Hard Suction Pipe	$3.50	foot
B0375	6" Hard Suction Pipe	$2.10	foot
B0242	Guzzler Flex Hose	$2.85	foot

Billing Unit	Pumps & Pumping Accessories	Rate	UOM
B0422	1 Inch Double Diaphragm (Chemical)	$155.00	day
B0423	1 Inch Double Diaphragm	$65.00	day
B0425	2 Inch Double Diaphragm (Chemical)	$305.00	day
B0426	2 Inch Double Diaphragm	$105.00	day
B0429	2 Inch Poly Centrifugal	$135.00	day
B0431	2 Inch Venturi Liquid/Slurry Pump (used with 25 GPM Line Jetter)	$135.00	day
B0430	2 Inch Trash Pump	$95.00	day
B0427	2 Inch Electric Roper Pump	$55.00	day
B0433	3 Inch Double Diaphragm	$205.00	day
B0435	3 Inch Trash Pump	$185.00	day
B1308	3 Inch Electric Roper Pump	$575.00	day
B0436	4 Inch Dri Prime Trash Pump	$340.00	day
B0439	6 Inch Dri Prime Trash Pump	$430.00	day
B0442	6 Inch Hydraulic Submersible Pump w/ Hydraulic Power Pack	$595.00	day
B1096	6 Inch Electric Submersible Pump	$600.00	day
B0299	Hydraulic Hose Set for Hydraulic Submersible (50 foot section)	$60.00	day
B0445	Draw Down Pump	$235.00	day
B0449	Submersible Pump	$45.00	day
B0448	Peristaltic Pump	$45.00	day
B1288	High Volume Air Pump	$60.00	day
B1289	Low Volume Air Pump	$30.00	day
B0326	Low Flow GW Sampling Pump & Controller	$115.00	day

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

TOOLS & EQUIPMENT			
Billing Unit	**Pumps & Pumping Accessories cont.**	**Rate**	**UOM**
B1228	Stainless Steel Blackmer w/ Power Pack	$1,150.00	day
B0536	Stainless Steel Filter Vessel	$425.00	day
B0118	Carbon Steel / Polymer Filter Vessel	$325.00	day
B0226	General Use Hose (Garden Hose)	$80.00	each
B0264	1 Inch Chemical Hose	$0.87	foot
B0269	2 Inch Petroleum Hose	$1.11	foot
B0266	2 Inch Chemical Hose	$1.47	foot
B0267	2 Inch Food Grade Hose	$1.85	foot
B0274	3 Inch Petroleum Hose	$1.47	foot
B0271	3 Inch Chemical Hose	$1.95	foot
B0272	3 Inch Food Grade Hose	$2.50	foot
B0280	4 Inch Lay Flat Hose	$32.00	section
B0287	6 Inch Lay Flat Hose	$52.00	section
B0277	4 Inch Hard Suction	$20.00	section
B0284	6 Inch Hard Suction	$30.00	section

Billing Unit	**Oil Spill Equipment**	**Rate**	**UOM**
B0168	Drum Skimmer TDS 118G	$305.00	day
B1229	Drum Skimmer TDS 118G w/ Power Pack	$600.00	day
B0103	10 Foot Boat	$75.00	day
B0099	12-16' Boat with Motor	$200.00	day
B1048	16 Foot Boat	$65.00	day
B0100	17 Foot Boat with 40hp Jet Motor	$250.00	day
B0101	20 Foot Boat with 115hp Motor	$385.00	day
B0102	26 Foot Boat with twin 115hp Motors	$880.00	day
B0314	Leaf Blower	$65.00	day
B0317	Life Vest / Per Person	$30.00	day
B0550	Tee Boom Connector	$15.00	day
B0105	Boom Anchor System	$15.00	day
B0108	Boom Tow Bridle	$7.50	day
B0249	Hard Shell Buoy 12"	$2.00	day
B0106	Containment Boom 4" x 6"	$1.87	foot/day
B0107	Creek Boom 2" x 4"	$1.07	foot/day

Billing Unit	**Portable Storage**	**Rate**	**UOM**
B0398	Portable Office (20' x 8')	$200.00	day
B0396	Portable Fuel Storage Tank	$75.00	day
B0630	Frac Tank 20,000 Gallons	$115.00	day
B0631	Frac Tank 10,000 Gallons	$85.00	day
B0395	Portable Containment	$80.00	day
B0389	Poly Tank 2,000 to 3,000 Gallons	$25.00	day
B0390	Poly Tank 500 to 1,500 Gallons	$20.00	day
B0577	Vac Box	$85.00	day
B0491	Roll Off 25 Yard	$30.00	day
B0403	Portable Storage Unit (20' x 8')	$12.00	day

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

TOOLS & EQUIPMENT			
Billing Unit	**Confined Space Equipment**	**Rate**	**UOM**
B0325	Lombrico Remote Control Confined Space Cleaner	$2,200.00	day
B0132	Confined Space Assembly	$425.00	day
B0188	Explosion Proof Light	$175.00	day
B1310	Breather Box	$175.00	day
B1309	Cascade Air System	$285.00	day
B0382	Pneumatic Air Fan 11,000 CFM	$145.00	day
B0182	Electric Blower 930 CFM	$95.00	day
B0383	Pneumatic Air Blower 3,500 CFM	$95.00	day
B0193	Fall Protection Ensemble	$120.00	person/day

Billing Unit	Monitoring Equipment	Rate	UOM
B0588	Waste Water Auto Sampler	$415.00	day
B0602	X-ray Fluorescent (XRF) Analyzer	$440.00	day
B1089	XRF Lead Paint Sampler (SciAps)	$600.00	day
B0569	Ultra-Rae 3,000 Benzene Meter Plue SEP Tubes	$310.00	day
B0778	Electronic Process Meter	$65.00	day
B0032	4 Gas Meter	$202.00	day
B0033	4 Gas Meter w/ PID	$205.00	day
B1178	Landfill Gas Meter	$400.00	day
B1258	Survey Equipment (RTK GPS)	$205.00	day
B1290	Survey Equipment (Total Station)	$350.00	day
B1161	Multiparameter Groundwater Meter	$200.00	day
B1188	Water Quality Meter (Multi-Parameter)	$150.00	day
B1173	Insulation Tester (MEG Meter)	$45.00	day
B1172	Flow Sensor (Pitot Tube)	$115.00	day
B1168	Digital Micromanometer	$40.00	day
B0456	Radon Test Kits	$25.00	each
B0370	Photo Ionization Meter (PID)	$95.00	day
B0305	Interface Probe	$75.00	day
B0545	GPS Unit	$60.00	day
B0591	Water Level Indicator	$52.00	day
B0150	Digital pH Meter	$40.00	day
B1272	PCM Analysis	$20.00	sample

Billing Unit	Specialty Equipment	Rate	UOM
B0096	Betts Emergency Unloading Valve	$400.00	day
B0111	Bunker Gear	$250.00	day
B0514	SCBA	$312.00	day
B0548	Tank Nibbler	$250.00	day
B0542	Supplied Air Respirator	$260.00	day
B0324	Locator/Transmitter	$175.00	day
B1130	Belt Conveyor	$600.00	day
B1271	Intrinsically Save Extensions	$450.00	day
B1230	Maxi Miller Drain Cleaner	$175.00	hour
B1231	Rotary Duct Cleaner	$900.00	day
B1232	HepAir Duct Cleaner	$900.00	day
B1233	VisioAir Duct Cleaner	$1,200.00	day
B1283	Pipe Pressure Testing Kit	$250.00	day

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

TOOLS & EQUIPMENT			
Billing Unit	**Specialty Equipment cont.**	**Rate**	**UOM**
B1234	Floor Scanner (MFE)	$950.00	day
B0572	Wall Crawler (MFE)	$950.00	day
B0486	Riding Lawn Mower	$262.00	day
B0592	Weed Eater	$100.00	day
B1260	Portable Torch Kit w/ Gasses	$220.00	day
B1261	Transfer Fittings Charge	$575.00	each
B1235	Steam Cleaner	$75.00	hour
B1236	Weed Sprayer	$30.00	hour
B1274	Smoke Machine	$140.00	day
B0570	Ultrasonic Thickness Meter	$75.00	day
B0380	Plug & Patch Kit	$50.00	day
B0583	Ventilation Fan (per fan)	$35.00	day
B0472	Respirator	$57.50	day
B0356	Non-Sparking Tool Kit	$37.00	day
B0303	Infield Laptop	$30.00	day
B1237	Blasting Pot	$600.00	day
B0400	Portable Radios	$27.00	day
B1162	Crane Mats	$30.00	day
B0219	FRC Clothing	$22.00	person/day

Billing Unit	Drone Equipment & Operators	Rate	UOM
182	UAV Pilot	$150.00	hour
183	Flight Safety Observer	$75.00	hour
184	Data Processor	$100.00	hour
B1044	Drone	$150.00	hour
B1045	Drone w/ Thermal Imaging	$275.00	hour

Billing Unit	Cameras	Rate	UOM
B0489	Intrinsically Safe CCTV Crawler System	$275.00	hour
B0487	Rigid Push Camera	$40.00	hour
B0551	Thermal Camera	$20.00	hour
B1293	CCTV Crawler System	$200.00	hour

Billing Unit	Drilling Equipment	Rate	UOM
B0361	Optical Image / Hydraulic Profiler Combination (OIHPT)	$3,000.00	day
B0360	Optical Image Profiler (OIP)	$2,400.00	day
B0294	Hydraulic Profiler (HPT)	$1,680.00	day
B0446	Grout Pump	$240.00	day
B0244	Hand Auger	$50.00	day
B0532	Rotary Sonic Drill Rig	$420.00	hour
B0079	Air Rotary Drill	$300.00	hour
B1238	3100 GT Truck Mounted Drill Rig	$210.00	hour
B1239	CME Auger Rig	$180.00	hour
B1287	Mud Rotary Rig	$540.00	hour
B0682	Water Truck	$60.00	hour

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

TOOLS & EQUIPMENT			
Billing Unit	**Drilling Equipment cont.**	**Rate**	**UOM**
B1240	Geoprobe 6620 Unit (Direct Push)	$120.00	hour
B1241	Geoprobe 7822 Unit (Direct Push)	$180.00	hour
B1163	Geoprobe 3230 Unit (Direct Push)	$210.00	hour
B1242	Borehole Camera	$240.00	hour
B1243	Concrete Saw 12"	$120.00	hour
B1244	Pneumatic Diverter	$36.00	hour
B1115	Pump Truck	$90.00	hour
B1245	Mechanical Syringe Pump PFAS	$180.00	hour
B1246	Packer System & Pump	$300.00	hour
B0238	Ground Penetrating Radar	$102.00	hour

Billing Unit	Environmental Systems Equipment	Rate	UOM
B0635	Air Sparging SVE Trailer	$1,500.00	day
B1217	Vapor Extraction/Air Sparging Trailer	$3,000.00	day
B1247	Dual Phase Remediation Unit	$2,400.00	day
B1101	Technician Tools	$156.00	person/day
B1270	Environmental Sytems Truck w/ Tools	$45.00	hour

CONSUMABLES			
Billing Unit	**PPE**	**Rate**	**UOM**
B0225	Fully Encapsulated Level B Suit	$300.00	each
B0263	Hip Waders	$160.00	each
B0296	Hydro Blasting Coveralls	$110.00	each
B0240	Guardian Acid Suit	$90.00	each
B0512	Saranex Coveralls	$35.00	each
B0387	Poly Coated Tyvek Coveralls	$25.00	each
B0568	Tyvek Coveralls	$18.00	each
B0567	Tychem QC Coveralls	$20.00	each
B0295	Hydro Blast Boots	$160.00	pair
B0252	Haz Mat Boots	$130.00	pair
B0498	Rubber Boots	$45.00	pair
B0311	Latex Boot Covers	$8.00	pair
B0253	Haz Mat Tape	$47.00	each
B0119	Caution Tape	$22.00	each
B0174	Duct Tape	$17.00	each
B0959	Rags	$47.00	box
B1286	Pipe (for Pipe Bed Trailer)	$5.00	foot
B0766	Dip Gloves	$15.00	pair
B0315	Leather Gloves	$15.00	pair
B0348	Nitrile Gloves	$15.00	box
B0454	PVC Gloves	$10.00	pair
B0499	Rubber Gloves	$8.00	pair
B0346	Neoprene Gloves	$7.00	pair
B0353	Nitrile Over Cotton Gloves	$7.00	pair
B0408	Level A PPE	$2,500.00	each
B0409	Level B PPE	$200.00	person/day
B0411	Level C PPE	$150.00	person/day
B0413	Modified Level D PPE	$50.00	person/day

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

CONSUMABLES			
Billing Unit	**Covid Decon. & Sanitation**	**Rate**	**UOM**
B0990	Electrostatic Sprayer / Per Day	$125.00	day
B0217	Fogger / Per Day	$50.00	day
B0535	Sprayer / Per Day	$20.00	day
B0192	Face Shield	$15.00	each
B1041	Single Station Personnel Decon	$30.00	each
B0636	MediClean / Quat Ammonium / Per Gallon	$60.00	gallon
B0935	Iso Propyl Alcohol / Per Gallon	$60.00	gallon
B0936	BioEsque Solution / Per Gallon	$60.00	gallon

Billing Unit	Respiratory Protection	Rate	UOM
B0201	Filter 3M Acid Gas	$27.00	each
B0202	Filter 3M Ammonia	$25.00	each
B0204	Filter 3M HEPA	$25.00	each
B0206	Filter 3M Multi-Gas	$25.00	each
B0207	Filter 3M Organic Vapor	$27.00	each
B0201	Filter 3M Organic Vapor Acid Gas	$27.00	each
B0203	Filter 3M Chemical Plus HEPA	$40.00	each
B0205	Filter 3M Mercury / Chlorine	$40.00	each
B0209	Filter 3M Particulate	$22.00	each
B0479	Respirator Wipes	$25.00	each
B0513	SCBA Bottle Refill	$30.00	each
B1248	Benzene SEP Tubes	$25.00	each
B0511	Large SAR Bottle Refill	$140.00	each

Billing Unit	Absorbents & Chemicals	Rate	UOM
B0069	Acid Pads 18" x 18"	$190.00	bundle
B0127	Clor N Oil / Clor N Soil Kit	$160.00	each
B0064	Absorbent Boom 8" x 10'	$158.00	bundle
B0062	Absorbent Boom 5" x 10'	$138.00	bundle
B0066	Absorbent Pads 18" x 18"	$87.00	bundle
B1305	Fentanyl Decon Solution	$165.00	each
B1304	Fentanyl Detection Wipes	$40.00	box
B0125	Citric Acid	$90.00	bag
B1265	Hypochlorous Acid	$35.00	gallon
B0236	Grass Seed (25lb)	$85.00	bag
B0526	Soda Ash	$60.00	bag
B0321	Lime	$60.00	bag
B0533	SpaghSorb	$50.00	each
B1038	Cement	$33.00	bag
B0130	Concrete	$10.00	bag
B0084	Asphalt	$9.00	bag
B1249	Muriatic Acid (Hydrochloric Acid)	$20.00	gallon
B0126	Clay Absorbent	$20.00	each
B1250	Bleach	$15.00	gallon
B0335	Micro Blaze	$57.00	gallon
B1220	Hydro Gel	$17.00	each

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

CONSUMABLES			
Billing Unit	**Absorbents & Chemicals cont.**	**Rate**	**UOM**
B1291	Dry Ice	$3.00	pound
B0523	Simple Green	$20.00	gallon
B0509	Sand Bags	$13.00	bag
B0540	Straw Matting	$65.00	roll
B0369	pH Paper	$35.00	box

Billing Unit	Drums & Waste Disposal	Rate	UOM
B0391	250-Gallon Poly Tote	$365.00	each
B0920	275-Gallon Poly Tote	$415.00	each
B0392	330-Gallon Poly Tote	$475.00	each
B0059	95-Gallon Poly Overpack Drum	$395.00	each
B0055	85-Gallon Poly Overpack Drum	$350.00	each
B0056	85-Gallon Steel Overpack Drum	$350.00	each
B0047	55-Gallon Open Top Poly Drum	$135.00	each
B0046	55-Gallon Closed Head Poly Drum	$135.00	each
B0045	55-Gallon Steel Open Top Drum	$165.00	each
B0044	55-Gallon Steel Closed Head Drum	$140.00	each
B1251	30-Gallon Poly Drum	$115.00	each
B0011	15-Gallon Drum	$100.00	each
B0042	5-Gallon Biohazard Container	$160.00	each
B1307	30-55 Gallon Overpack Drum	$150.00	each
B1306	Vented Bung	$50.00	each
B0136	Cubic Yard Box	$120.00	each
B0137	Cubic Yard Clean Pack	$120.00	each
B0043	5-Gallon Plastic Pail	$17.00	each
B0379	Plastic Sheeting 6 mil 20' x 100'	$160.00	roll
B0098	Bladder Bag for Vac Box	$300.00	each
B0490	Roll Off Liners	$75.00	each
B0112	Burial Bag / Drum Liner	$7.50	each
B0388	Poly Drum Liners	$2.50	each

TERMS AND CONDITIONS

Emergency Response

All Emergency Response jobs are billed portal-to-portal.
All Emergency Response jobs are subject to a 4-hour minimum for personnel and equipment.
Emergency Response rates will apply to the first 7 days of a response, or until the response is finished following the notification to proceed.

Labor

Overtime (1.5x) will be charged for work performed before 0700 and after 1700 hours, for work over 8 hours in a day, over 40 hours in a week, and weekends.

Double time (2x) will be charged for Holidays:
New Year's Day / Memorial Day / Labor Day / Independence Day / Thanksgiving Day / Friday after Thanksgiving Day
Christmas Eve / Christmas Day

A Per Diem of $225.00 per person, per day will apply for food and lodging for out of town and overnight stays.
EWI reserves the right to bill meals and lodging at a cost plus basis at any time.
Litigation support services are 2.5 times the normal hourly rate.

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Environmental Works, Inc.

2024 Emergency Response

TERMS AND CONDITIONS

Equipment

"Per Day" is a 12 hour shift or less, with the exception of portable storage containers.
Portable storage container price does not include delivery.
Equipment requested to be on hold in Standby, by a Client, is billed at one-half (1/2) the standard rate with the exception of non-EWI owned equipment which will be billed at the full standard rate plus markup.
Any equipment damaged at no fault of EWI, or at the direction of the Client, is repaired at the Client's expense and billed at cost plus, including up to replacement cost of the equipment.

All equipment, including stationary vacuum trucks, heavy vehicles and equipment, & boats are billed per the fuel surcharge chart below.
All prices are based on the U.S.E.I.A monthly average for the Midwest Region and can be found at www.eia.gov.

	Rate	UOM
Fuel Surcharge - Gallon of Diesel = $2.01-$2.50	3.00%	hour
Fuel Surcharge - Gallon of Diesel = $2.51-$3.00	4.00%	hour
Fuel Surcharge - Gallon of Diesel = $3.01-$3.50	5.00%	hour
Fuel Surcharge - Gallon of Diesel = $3.51-$4.00	6.00%	hour
Fuel Surcharge - Gallon of Diesel = $4.01-$4.50	7.00%	hour
Fuel Surcharge - Gallon of Diesel = $4.51-$5.00	8.00%	hour
Fuel Surcharge - Gallon of Diesel = $5.01-$5.50	9.00%	hour
Fuel Surcharge - Gallon of Diesel = $5.51-$6.00	10.00%	hour
Fuel Surcharge - Gallon of Diesel = $6.01-$6.50	11.00%	hour
Fuel Surcharge - Gallon of Diesel = $6.51-$7.00	12.00%	hour
Fuel Surcharge - Gallon of Diesel = $7.01-$7.50	13.00%	hour
Fuel Surcharge - Gallon of Diesel = $7.51-$8.00	14.00%	hour
Fuel Surcharge - Gallon of Diesel = $8.01-$8.50	15.00%	hour
Fuel Surcharge - Gallon of Diesel = $8.51-$9.00	16.00%	hour
Fuel Surcharge - Gallon of Diesel = $9.01-$9.50	17.00%	hour
Fuel Surcharge - Gallon of Diesel = $9.51-$10.00	18.00%	hour

Other

Any rented items, subcontractor, or materials purchased for a project will be billed at cost plus 25% markup.
IDLH and Levels A & B carry a surcharge of $10.00 per hour, per person.
Consumables rates may be adjusted following market dynamics (including availability).
Rate schedule may not be inclusive of all equipment, materials, and consumables.
These rates are subject to periodic review and adjustments as deemed necessary by EWI.
Applicable federal, state, and local taxes, except income and ad valorem, as they pertain to services, equipment rental, sales of material, manufacturer repair, delivery and/or transportation are the responsibility of the customer.
EWI will never become the Generator or accept ownership of waste materials from any job site.
A Waste Storage Fee of $100 per job for drums and $250 per job for roll off containers or frac tanks applies to all containers stored at a secured EWI facility.
EWI works at the discretion of the Client but reserves the right to stop work if unsafe conditions are encountered. EWI will not be held at fault for these work stoppages until the situation or condition is remedied.
EWI Terms are Net 30 from the date of the invoice unless previously agreed to, in writing, by EWI and the Client. EWI assesses a late fee on all unpaid balances after thirty (30) days at a rate of 1.5% per month. All legal and collections fees are the responsibility of the Client.
All rates represented Net 30 payment terms. Any negotiated terms greater than Net 30 are subject to higher rates.
Environmental Works, Inc. reserves the right to charge for items not included on this rate sheet.
Invoices will include a 5% Energy and Insurance fee.

Attachment: EWI Response to Riley County Request for Environmental Consultant 01.10.2024 (14432 : Keats RFP proposals)

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

PROPOSAL FOR

KEATS ENVIRONMENTAL ASSESSMENT

RILEY COUNTY, KANSAS
JANUARY 10, 2024

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JEO CONSULTING GROUP

JEO CONSULTING GROUP, INC.
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p: 402.435.3080

Zach Cunningham, CWB®
Project Manager

m: 402.314.1688
e: zcunningham@jeo.com

January 10, 2024

Riley County
Attn: Ms. Amanda Webb, Planning Director
110 Courthouse Plaza
Manhattan, KS 66502

RE: Proposal for Keats Environmental Assessment

Dear Ms. Webb and Selection Committee Members:

Thank you for providing JEO Consulting Group, Inc. (JEO) the opportunity to submit a proposal for an Environmental Assessment (EA) for your project in Keats for a community lagoon/public sanitary sewer system. Our experience includes Environmental Impact Statements (EIS), Environmental Assessments (EA), Categorical Exclusions (CE), and Environmental Scans for a broad list of organizations and agencies, including the U.S. Department of Agriculture (USDA), Kansas Department of Transportation (KDOT), Nebraska Department of Transportation (NDOT), South Dakota Department of Transportation (SDDOT), Federal Highway Administration (FHWA), U.S. Army Corps of Engineers (USACE), Natural Resource Conservation Service (NRCS), Federal Rail Administration (FRA), U.S. Department of Veterans Affairs (USDVA), U.S. Environmental Protection Agency (EPA), and the Bureau of Indian Affairs (BIA).

JEO understands the important role that environmental studies play in the successful planning and execution of projects. We also know that National Environmental Policy Act (NEPA) documents are only as good as their collective parts. The JEO team is made up of industry experts who cover the technical aspects required to seamlessly work through the NEPA process. Our experienced, in-house community engagement team will facilitate stakeholder input and required comment periods and document correspondences for the public record required by the EA.

Our proposed team for this effort can be found in the organization chart on Page 3. Outside of this core team, JEO's Environmental Sciences department includes 14 qualified professionals available to ensure this project moves seamlessly through the NEPA process. Backed by JEO's 350+ planners, designers, technicians, project managers, and community engagement professionals, we are confident in our abilities to help get this project to the finish line.

We look forward to this opportunity to work with you on this important project.

Sincerely,

ZACH CUNNINGHAM, CWB®
Project Manager
JEO Consulting Group, Inc.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

QUALIFICATIONS

ORGANIZATIONAL CHART

Our team has been tailored to provide the highest level of expertise, availability, and involvement needed to deliver a successful project for Riley County. Each team member has a record of delivering successful projects. They are proven professionals that recognize the importance of following through to meet client expectations. JEO understands the time commitment needed to produce a successful EA. The current and planned workload of the proposed team members will enable them to devote immediate and sustained attention to your project.

RILEY COUNTY, KANSAS

Project Manager
Zach Cunningham, CWB®

Team Members

Environmental Scientists
Eric Marrow
Raymond Montez
Mark Pomajzl

Community Engagement
Sasha Haehn

Floodplain Engineering
Chris Shultz, PE, CFM

Supporting Departments

JEO has over 350 employees company-wide, with multiple departments ready to help on your project where, or if, needed.

Environmental Sciences
14 team members



Planning and Engagement
14 team members



Water Resources Engineering
31 team members



Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

TEAM EXPERIENCE/ QUALIFICATIONS



ZACH CUNNINGHAM, CWB®

PROJECT ROLE: *Project Manager*

Zach is a Certified Wildlife Biologist® with 18 years of experience as an environmental scientist, 12 of which have been in the transportation industry. Zach has accumulated extensive experience working on a variety of transportation projects in Nebraska at both the CE and EA levels. His expertise lies in effectively coordinating with stakeholders and agencies, such as NDOT, FHWA, U.S. Fish and Wildlife Service, Nebraska Game and Parks Commission, USACE, BIA, and others. Zach possesses specialized training in NEPA requirements, including Transportation Decision Making, CE Training and Assignment, Indirect and Cumulative Impact Analysis, Interagency Consultation for Endangered Species Act, and navigating the intricacies of the NEPA processes.



ERIC MARROW

PROJECT ROLE: *Environmental Scientist*

Eric has eight years of experience in the environmental field. Eric's expertise includes Section 404 permitting, threatened and endangered (T&E) species, NEPA documentation, hazardous materials reviews, and construction stormwater permitting. Eric has experience designing and monitoring wetland mitigation sites; completing both T&E species and migratory bird surveys throughout Nebraska; Phase I Site Assessments; and varying levels of NEPA projects. Eric has completed a variety of NEPA trainings to work with transportation departments, and has previously worked on multiple USDA-RD Environmental Reviews.



RAYMOND MONTEZ

PROJECT ROLE: *Environmental Scientist*

Raymond has experience providing regulatory compliance guidance to industrial manufacturing facilities, oil exploration and production companies, municipalities, and private individuals. He brings working knowledge of the Clean Air Act, Clean Water Act, and Resource Conservation and Recovery Act (RCRA) regulations. He is familiar with NPDES requirements, industrial waste management, Phase 1 ESAs, and Spill Prevention, Control, and Countermeasure (SPCC) plans. Raymond's previous work has also included ground and surface water monitoring, NEPA compliance and various levels of environmental reviews, in addition to biological assessments and wetland delineations.



MARK POMAJZL

PROJECT ROLE: *Environmental Scientist*

Mark joined JEO's Environmental Sciences team after spending almost ten years with the Nebraska Department of Environment and Energy as an Environmental Specialist. His experience with environmental permitting and inspections helps communities attain and keep high environmental standards.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)



SASHA HAEHN

PROJECT ROLE: *Stakeholder Engagement*

Sasha has experience in local government administration, leadership in planning document update processes, project administration, and public involvement and engagement. Her approachable and open style has helped hone her facilitation and communication skills, helping communities work through difficult conversations that lead to overall improvements and needed change. Sasha prides herself on her commitment to helping communities plan for their futures, implement those plans, and realize their dreams.



CHRIS SHULTZ, PE, CFM

PROJECT ROLE: *Floodplain Permitting*

With over seven years of experience, Chris specializes in floodplain and inundation modeling utilizing 1D/2D modeling software. His background includes creating 2D FEMA quality models for floodplains and floodways, levee certification and breach mapping, and bridge/culvert analysis for permitting. He also has a wide range of experience, including hydrologic modeling, groundwater modeling of stream-aquifer systems, and supply/demand modeling of reservoir systems.

WORKLOAD CAPACITY

We are grateful for the opportunity to assist with providing a NEPA EA for Riley County and the community of Keats.

Our philosophy is to commit our project managers, technical experts, and subconsultants to an active role on each project. This approach provides our clients with an engaged and responsive project team. Our project managers utilize Deltek Vantagepoint to plan the workload of team members, which results in the appropriate resources dedicated to your project for the duration of the contract.

Over the past two years, JEO's Environmental Science department has added 12 team members. This growth will allow our team to be readily available to work on all aspects of this project. We have assembled a highly qualified team ready to meet all your needs. We understand the importance of meeting your schedule and have the capacity to do so.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

WASTEWATER TREATMENT FACILITY — EA DOCUMENT

SHENANDOAH, IOWA



The City of Shenandoah's Wastewater Treatment Facility is located approximately 0.5-mile west of U.S. Hwy 59 and approximately 0.5-mile south of 190th Street in rural Fremont County, Iowa. The city received a new National Pollutant Discharge Elimination System (NPDES) permit, which requires treatment for ammonia-nitrogen, *e.Coli*, and dissolved oxygen. The city's existing wastewater treatment facility is not capable of reliably treating these parameters throughout the year. In addition, the hydraulic loads being sent to the existing treatment facility exceed the design capacity of the existing treatment process.

Under a USDA EA, several treatment alternatives capable of fulfilling the new effluent permit limits were considered based on their practicability, affordability, and potential impact on the receiving stream. In addition, the treatment processes were evaluated for their ability to prepare the community to meet future treatment requirements as well, such as total nitrogen and total phosphorus as part of Iowa's Nutrient Reduction Strategy.

JEO prepared the EA document, including:

- Evaluating alternatives and their potential impacts to general land use, important farmland, formally classified lands, floodplains, wetlands, water resources, coastal resources, biological resources (general fish, wildlife and vegetation), ESA listed T&E species, Migratory Bird Treaty Act, invasive species,
- Cultural resources and historic properties
- Tribal consultation
- Aesthetics
- Air quality
- Socioeconomic assessment
- Environmental justice
- Noise and transportation
- Human health and safety – electromagnetic fields and interference, environmental risk management
- Corridor analysis and cumulative effects

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

VETERANS CEMETERY AT GRAND ISLAND—EA

NEBRASKA DEPARTMENT OF VETERANS' AFFAIRS



The Nebraska Department of Veteran Affairs (NDVA) constructed the fourth veterans cemetery in Nebraska in cooperation with the United States Department of Veterans Affairs (USDVA) in Grand Island/Hall County, Nebraska. This cemetery incorporates the currently existing seven-acre historic Grand Island Veterans Memorial Cemetery and expands the total area of service to 27 acres. The newly created cemetery is named The Nebraska Veterans Cemetery at Grand Island.

JEO completed a USDVA EA in under 90 days, with key aspects including evaluating alternatives and their potential impacts to aesthetics, air quality, cultural resources, geology, topology, soils, hydrology and water quality, wildlife and habitat, noise, land use, floodplain, wetlands and coastal zone management, socioeconomics, community, services, solid and hazardous materials, transportation and parking, utilities, environmental justice, cumulative impacts, and potential for generating controversy. Field work included wetland delineation and a Phase I EA.

To learn more about the project, visit our website:
https://www.jeo.com/transforming-legacy-grand-island-veterans-memorial-cemetery-enhancement-project

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

FIRE STATION—CE

AUDUBON, IOWA



JEO provided design and programming services for the proposed fire station located in Audubon, Iowa. The structure is 80 feet x 200 feet and was designed as a multiple level facility to best work with the district's selected site. The second level is a 4,623-square-foot mezzanine area serving as an open meeting space. In addition to the seven bay apparatus storage, the following spaces were included:

- Locker Area
- Laundry Facility
- ADA-Compliant Restrooms
- Private Chief's Office
- Firemen's Office Space
- Office Space
- EMS Office
- EMS Storage
- Mechanical Room
- Meeting Room
- Kitchen

JEO conducted a United Stated Department of Agriculture (USDA) CE, including evaluating alternatives and their potential impacts to historic properties/cultural resources/archaeological sites, T&E species, critical habitat, wetlands, floodplains, formally classified lands, water resources, important farmlands and air quality, noise, transportation, environmental risk management, environmental justice (EJ) and civil rights impacts.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

PROJECT UNDERSTANDING

The JEO team understands the important role that environmental studies play in the successful planning and execution of a project relying on loan and grant funding. We also know that NEPA documents are only as good as their collective parts. Through our previous work with USDA-RD and local agencies across multiple states, the JEO team has consistently demonstrated a thorough understanding of both the regulatory guidelines and USDA-RD standards required on projects that are applying for loans and grants.

We recognize good project management plays a critical role in project success. Zach Cunningham will serve as the primary point of contact for the JEO team. We believe Zach's level of environmental-specific training and years of experience communicating with federal, state, and local agencies make him ideally suited for this role. Upon notice to proceed of task orders, Zach will assign tasks to the appropriate technical expert, ensure the work meets USDA's high-level of standards, and coordinate deliverables back to the appropriate USDA-RD staff. We know every project is different, and sometimes issues arise. Should this occur, Zach will work collaboratively with USDA staff to ensure the correct solution is discovered and implemented, and the project stays on schedule. JEO is commitment to producing quality environmental documents that require minimal revisions and meet project schedules.

JEO understands the world of environmental regulation is constantly changing. From federal court rulings on the Clean Water Act to up-listing of T&E species like the northern long-eared bat, JEO stays current on the latest federal, state, and local environmental regulations and agency policies in place to protect our socioeconomic, cultural, historical, and environmental resources.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

BUDGET/SCOPE OF WORK

PROJECT SCOPE

JEO is presenting this scope of services to the Riley County selection committee to prepare an EA for a community lagoon/public sanitary sewer system for the Keats Sewer Benefit District. The purpose of this assessment is to evaluate the environmental conditions of the project site (area of impact) and identify any potential impacts that may arise from the proposed development.

If selected, JEO will complete an EA in accordance with NEPA (42 U.S. Code [USC] Subsection [§] 4321-4347), the Council on Environmental Quality (CEQ) NEPA Implementing Regulations (Title 40 of the Code of Federal Regulations [CFR] § 1500-1508), and the USDA NEPA procedures (Title 7 CFR Part 1970). The scope of services for this EA includes the following:

1. General Project Management: JEO will provide timely and coordinated communication to and from the client and project engineer for requests for information, providing progress updates, scheduling meetings, and receiving and providing feedback. JEO will provide oversight to ensure the scope of services and schedule are met. JEO will review billed hours by the team, prepare invoice statements for the client, and provide coordination with the USDA, which will be the lead federal agency for this project, to ensure that all requirements are met for the review.

2. Environmental Assessment: JEO will conduct a comprehensive environmental review to evaluate for potential impacts following the guidelines and regulations found within 7 CFR 1970 Subpart C. Along with developing the project description and purpose and need statement, technical areas to be evaluated as part of this EA will include:

a. Land use/cover
   i. General land use
   ii. Important farmland
   iii. Formally classified lands
b. Floodplains
c. Wetlands
d. Water resources
   i. Aquifers
   ii. Wellhead protection areas
   iii. Watersheds and surface/groundwater resources
e. Coastal resources
f. Biological resources
   i. T&E species
   ii. Migratory Bird Treaty Act
   iii. Bald and Golden Eagle Protection Act
   iv. Invasive species
g. Cultural and historic properties
h. Aesthetics
i. Air quality
j. Social impact assessment/environmental justice
k. Additional issues
   i. Noise
   ii. Transportation
l. Human health and safety
   i. Electromagnetic fields and interference
   ii. Environmental risk management
m. Corridor analysis
n. Cumulative effects
o. Mitigation

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

To complete this work, JEO will reply on the following studies/information prepared by others including:

- Preliminary engineering report
- Maps/aerial views
- All agency required studies
- Cultural resources ground survey
- Draft master plan
- All other information, documents, or engineering that may be necessary to complete the assessment

3. Site Assessments: JEO will conduct a site assessment to evaluate environmental conditions within the area of impact. Anticipated technical areas which will require information from past and future site assessments include:

a. Wetland delineation

b. T&E survey

c. Phase I ESA

4. Agency Correspondence: JEO will prepare and send letters on behalf of the USDA to relevant federal, state, and local agencies requesting comment on the project. Preliminary agencies identified include but are not limited to:

a. State Historic Preservation Office (SHPO) (30-day review period)

b. Tribal Historic Preservation Office (THPO) ((30-day review period)

c. U.S. Army Corps of Engineers (USACE) (30-day review period)

d. U.S. Fish & Wildlife Services (USFWS) (60-day review period)

e. U.S. Environmental Protection Agency (USEPA) (30-day review period)

f. Natural Resources Conservation Services (NRCS) (30-day review period)

g. National Park Service (NPC) (30-day review period)

h. Kansas Department of Transportation (KDOT) (30-day review period)

i. Kansas Department of Health and Environment (KDHE) (30-day review period)

j. Kansas Department of Wildlife & Parks (KDWP) (30-day review period)

k. Riley County Planning and Development, Floodplain Manager

Please keep in mind that JEO will schedule the work on this project to allow for the federally mandated review timeframes for each of the above agencies (and others to be identified), but JEO cannot control the actual timeline for reviews to be completed. JEO will prepare and send letters to other agencies or stakeholders identified by the USDA during the agency scoping process.

5. Coordination with Design: It is JEO's understanding that the final design plans will be prepared in parallel with the development of this EA. It is anticipated that any site design/layout changes will be communicated to JEO as soon as they are known so they can be evaluated and/or incorporated into the document as appropriate. If a previous design has been identified as no longer viable, it will be reviewed as a non-preferred alternative within the EA.

6. Environmental Permitting: JEO will provide guidance on any environmental permitting requirements that will be necessary for construction of the project. Obtaining federal and state permits required for the construction phase of this project is not included in this scope.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

7. Mitigation Measures: JEO will work with the client and USDA to identify and develop potential mitigation measures that may be implemented in the construction phase of this project to minimize any potential impacts identified during the environmental review process.

8. Public Comment/Review Period: JEO will provide a draft document to the USDA for publication and distribution to other federal agencies, states, local governments, American Indian tribes, interested groups, and the general public. JEO will follow the directions of the USDA for preparing notice for publication to the appropriate sources. Upon closure of the public comment period, JEO will work with the client and the USDA to respond to comments on an as-needed basis.

9. Reporting: JEO will prepare a comprehensive report that summarizes the findings of the EA, including all potential impacts, mitigation measures, and recommendations for further actions. Technical area reports, agency correspondence letters, and other supportive documentation will be included as attachments. Upon final submittal of the EA, the USDA will move forward with either:

a. Publication of a Finding of No Significant Impact (FONSI) document.

or

b. Conclusion that an Environmental Impact Statement (EIS) is necessary.

PROJECT TEAM

Work on this project will be completed by JEO staff; however, JEO may need to partner with additional firms to provide specialty services, if required. These could include, but are not limited to, historic preservation specialists, soil engineers, and test labs.

SCHEDULE

JEO has immediate availability to start work on the EA; however, the schedule of the EA will be dictated by agency response time and the following key milestones:

- USDA issuance of a notice to proceed of work on an EA if the project does not qualify for a CE under 7 CFR 1970 Subpart B.
- Completion of all required field work.
- Preparation of a draft EA for public comment.
- A waiting period of 30 days to allow for comments from interested parties.
- Finalization and submittal to the USDA of the final EA document.
- Publication and signing of the FONSI.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

FEE

JEO will provide the scope of services described herein for the following costs not to exceed:

Task	Fee
Environmental Assessment Documentation	$125,000.00
Site Wetland Delineation	$5,000.00
Phase I Environmental Site Assessment	$8,000.00
Total	**$138,000.00**

Additional services as requested by the client can be provided based upon JEO's current hourly rate schedule.

Exclusions to fee:

- Permits for construction of project.
- Rework of review of EA document for any design changes post-submittal.
- Rework of EA document due to regulatory changes post-submittal.
- Additional request for studies from agencies that are outside of those listed in the scope.
- Work resulting from elevation to an EIS.
- Soil/geotechnical testing.
- Cultural resources ground survey.
- Development of project alternatives.
- Services not identified in this scope.

REIMBURSABLE CHARGES

JEO does not charge separate reimbursable charges. The fee listed in the above table includes JEO's billable time and overhead expenses, including telephone calls, copying, postage, travel, and meals that are included in our hourly rates and fees.

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

REFERENCES

PAST CLIENTS

Below are clients JEO has worked with on previous environmental assessment projects.

USDA—Rural Utilities Service

Dee Fischer, Area Specialist

511 W. 7th Street, Atlantic, IA 50022

p. 712.243.2107 | **e.** dee.fischer@usda.gov

Nebraska Department of Veterans Affairs

Mark Craft, Operations Manager - Facilities

600 E Benjamin Ave, Norfolk, NE 68701

p. 402.370.3169 | **e.** mark.craft@nebraska.gov

Audubon Fire Department

Tyler Thygesen, Fire Chief

410 N Park Pl, Audubon, IA 50025

p. 712.563.2023 | **e.** audubonfirerescue@gmail.com

Attachment: Proposal for Riley County Keats Environmental Assessment_JEO (14432 : Keats RFP proposals)

Attachment: RFP Response Keats Sewer Dist - Riley Co (14432 : Keats RFP proposals)

Fishburn Consulting LLC

Professional Services to Improve and Enhance Rural Utilities

Response to Request for Proposal

Title of project:	Environmental Assessment for a community lagoon/public sanitary sewer system for the unincorporated community of Keats.
Submittal date:	01-10-2024
Firm:	Fishburn Consulting LLC
Primary contact:	Phillip Fishburn

Contact information:	
Mailing address:	17002 S Willison Rd Haven, KS 67543
Telephone/Text;	620-200-5547
Email address:	fishburnconsulting@gmail.com

Qualifications.

Phillip Fishburn, Manager for Fishburn Consulting LLC, has many years of experience completing environmental reports and assessments and helping rural communities complete applications for funding, especially applications for funding from USDA Rural Development (RD).

Since 2001, while working for Midwest Assistance Program (MAP), and at the bequest of communities, counties, rural water districts, and special districts seeking funding from RD for drinking water, wastewater, and community facility projects, Fishburn has developed

environmental reports and assessments for their funding applications. He has completed environmental assessments for small communities, large rural water districts, and Public Wholesale Water Supply Districts. In 2001, Fishburn was trained by National USDA Rural Utilities Engineering and Environmental staff in how to prepare environmental reports.

Since 2016 when Rural Development (RD) started requiring environmental assessments (EA) for many projects it has funded, Fishburn has completed 38 EAs that have resulted in securing $228,901,312 in funding from RD loans, RD grants, and from other supplemental funding.

In the summer of 2023, after 28 years of working for the Midwest Assistance Program, Inc., Fishburn started his own consulting company called Fishburn Consulting LLC. His company provides consulting services to applicants who are seeking funding from public agencies for drinking water, wastewater, and community facility improvement projects. Fishburn Consulting LLC specializes in the completion of initial environmental review analyses. environmental reports, and environmental assessments for RD projects and/or projects seeking funding from the Kansas Department of Health and Environment. Phillip Fishburn is the managing officer for the company and prepares environmental assessments for the company.

The attached article (**Appendix 1**) demonstrates the importance of the work performed by Fishburn. This article from September 2023 discussed USDA Rural Development's announcement of providing funding to four rural communities and one rural water district totaling $49 million for drinking water improvement projects. Specialists from the Midwest Assistance Program, Inc. (MAP) helped the cities of Humboldt, Girard, Mankato, and Neosho Rural Water District #4 to secure funding from USDA Rural Development for these drinking water improvement projects. Phillip Fishburn, former MAP staff and current Manager of Fishburn Consulting LLC, completed environmental assessments for each of these projects' funding application. Without these environmental assessments, these water systems could not have applied for funding from USDA.

Examples of relevant experience for wastewater improvement projects.

Project	Scope of improvements	Worked completed by Phillip Fishburn	Funding Agency
City of Caney	Wastewater improvements. Collection lines were replaced and wastewater treatment facility (WWTF) consisting of a mechanical oxidation ditch system was built.	Assisted with completing the application for funding and completing an environmental assessment for the funding application.	USDA Rural Development
City of Chapman	Wastewater improvements. New lift station added, a new force main and a new WWTF consisting of treatment lagoons were built.	Assisted with completing the application for funding and completing an environmental assessment for the funding application.	USDA Rural Development & KDHE Revolving Loan Fund
City of Coolidge	Wastewater improvements. Collection lines will be replaced, and new lift station, force main, and a new WWTF built consisting of treatment lagoons.	Completed an environmental assessment for the funding application.	USDA Rural Development

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Attachment: RFP Response Keats Sewer Dist - Riley Co (14432 : Keats RFP proposals)

City of Edna	Wastewater improvements. The City replaced existing collection lines, built a new lift station, force mains, and lines.	Assisted with completing the application for funding and completing an environmental assessment for the funding application.	USDA Rural Development
City of Fredonia	Wastewater improvements. Collection lines were replaced and a wastewater treatment facility (WWTF) consisting of a mechanical oxidation ditch system was refurbished.	Assisted with completing the application for funding and completing an environmental assessment for the funding application.	USDA Rural Development & KDHE Revolving Loan Fund
City of Goessel	Wastewater improvements. Collection lines were replaced. A new lift station was added, a new force main was built, and the new WWTF consisting of treatment lagoons was built.	Assisted with completing the application for funding and completing an environmental assessment for the funding application.	USDA Rural Development & KDHE Revolving Loan Fund
City of Hanston	Wastewater improvements. The City plans to replace collection lines, and build a new lift station, a new force main, and a new WWTF consisting of treatment lagoons.	Assisted with completing the application for funding and completing an environmental assessment for the funding application.	USDA Rural Development & KDHE Revolving Loan Fund
Keats Sewer District, Riley County	Wastewater improvements. The County proposed a project consisting of building a collection system in Keats, a new lift station, and a 4-mile force transmission main to Manhattan. The project was tabled due to high projected future user charges.	Completed an environmental assessment for the funding application.	USDA Rural Development

Familiarity with the need for the proposed project.

While working for the Midwest Assistance Program Inc. (MAP), Fishburn completed an environmental assessment (EA) for an application of funding to USDA Rural Development for a proposed project that would have pumped collected wastewater from the Keats Sewer District in Riley County to the City of Manhattan, Kansas for treatment. For the EA, Fishburn created an explanation of need which was included in the EA to justify why the project was needed despite any possible impacts to the natural and human environment. Fishburn understands why a public sanitary sewer is needed for Keats. Inadequate sized lots do not leave enough space for properly sized lateral absorption fields. Under-treated effluent is surfacing on some lots, and is a health hazards to citizens, pets, and wildlife. Lots are not big enough to consider building on-site treatment systems for each home that uses lateral drain fields. Alternative options to septic tanks and lateral drain fields are expensive to build. Current County sanitary codes require homeowners to install their own on-site wastewater treatment systems that meet the sanitary sewer code. A County owned and managed public sanitary sewer collection and treatment wastewater system is a better option than homeowner on-site systems for the Keats Sewer District which is owned by Riley County and governed by the County Commission.

Familiarity with the challenges associated with completing an environmental assessment for the proposed project.

The County is proposing to build a collection system that will collect wastewater discharged from homes and businesses in Keats and transport the wastewater via gravity collection mains to a single lift station. The lift station will pump the collected wastewater, via a force main, to a lagoon treatment system located just west of Keats.

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Floodplains. Both the proposed lift station and treatment lagoon system will be located in a 100 and 500 year floodplain. An 8-step floodplain evaluation will have to be completed for the EA using the new procedures and rules issued by USDA Rural Development in December 2023. The information needed to complete the Floodplain Assessment differs significantly from old rules and procedures that RD had followed for this kind of assessment. Fishburn Consulting LLC is familiar with these new rule changes and has provided preliminary planning advice to the County for the Keats District already.

U.S. Fish and Wildlife Endangered Species Act. The Biden administration has been aggressively adding new species to the U.S. Fish and Wildlife Service's (USFWS) Endangered Species Act lists. New species added have affected proposed projects in Kansas. This has prompted Rural Development to want to consult with the U.S. Fish and Wildlife Service's Kansas Office to determine if federally protected species or their habitats will be impacted by proposed projects. To request consultation, Rural Development must provide to the USFWS' Kansas Office a Biological Evaluation (BE); the applicant for funding is expected to provide this evaluation. Fishburn Consulting LLC has provided such an evaluation for other projects.

New rules for the completion of environmental assessments. The Council on Environmental Quality (CEQ) oversees NEPA implementation, principally through issuing guidance and interpreting regulations that implement NEPA's procedural requirements. Recently, the CEQ has published new rules for the completion of environmental assessments for all federal agencies to follow. While these rules have not yet been fully promulgated, applicants should follow them. These rules require the reformatting of EAs, and will require alternative options to be examined in greater depth regarding their potential impact to the natural and human environment. Fishburn Consulting LLC has experience completing an EA in the new format and completing an Environmental Analysis for Alternative Options.

New areas of concern that must be examined in an environmental assessment. In addition, the CEQ will also be requiring EA to examine Environmental Justice and Climate Change impacts of a proposed project. Fishburn Consulting LLC has been incorporating these issues into the EAs completed for RD applicants.

Utilizing special rules to facilitate meeting required funding deadlines. Fishburn Consulting LLC recognizes it will be difficult to meet the County's June 1 deadline for completion of the environmental assessment due to the amount of time it will take to complete the National Historic Preservation Act (NHPA) Section 106 process. Based on experience, Fishburn Consulting LLC anticipates the Kansas State Historical Preservation Office (KS SHPO) and the Osage Nation Historic Preservation Office will request a cultural resources survey (CRS) to be completed. Fishburn Consulting LLC estimates it will take, at a minimum, 120 days to complete the NHPA Section 106 process. The environmental review process cannot be completed until the National Historic Preservation Act (NHPA) Section 106 process is completed. The Section 106 process cannot be completed until a (CRS) is completed if either the Kansas State Historical Preservation Office (KS SHPO) or any Tribal Historic Preservation Office requests a CRS be completed. Phillip Fishburn, Manager of Fishburn Consulting LLC, has experience helping RD applicants request the use of a programmatic agreement (PA) that USDA RD has with the federal Advisory Council on Historic Preservation (ACHP), the National Conference of State Historic Preservation Officers (NCSHPO), appropriate historic and cultural tribal authorities, and other consulting parties. While rarely and judiciously used, the PA allows RD to commit to fund a project pending the completion of the environmental review process. No construction or related activities can

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occur until the environmental review process is completed, and RD gives permission to begin construction; the only exception would be the issuance of an emergency waiver. The County is trying to substantially complete the application process by June 1, 2024 to a point where RD will allow loan/grant eligibility for the project to be determined using 2010 U.S. Census data. Using the 2010 Census data will increase the possibility that the project could qualify for some grant funding from RD. Rural Development usually cannot commit to fund a project until the environmental review process is completed. While there are no guarantees, the use of the PA will help the County to make the case that the project application and environmental assessment are substantially completed to a point that it can be argued that the 2010 U.S. Census should be used.

Scope of Work and Budget.

Preparation to complete the environmental assessment ……. $8,800.

- Fishburn Consulting LLC will assemble attachments needed for the scoping letters to contact required federal, state, and local agencies to request a review of the project, and to solicit National Environmental Policy Act (NEPA) comments or input from such agencies.
- Fishburn Consulting LLC will develop a project description for the mailing to required agencies that indicates the scope of improvements that will be completed if funding from RD is obtained. The project description will identify the location of the improvements, explain why the improvements are being sought, and describe the benefits that will be derived from the proposed project. The project description will also describe the need for the proposed project. The project engineer will approve the final draft of the project description before it is used.
- Fishburn Consulting LLC will assemble maps to be included as attachments to the scoping letters. The County will secure from the project engineer an "Engineer's map" that has an aerial view that shows the location of all planned improvements, including the location of system facilities (including any alternate sites). The "Engineer's map" will be provided to Fishburn Consulting LLC by the County or the project engineer to be used for the scoping letters.
- Fishburn Consulting LLC will send correspondence (scoping letters) to cooperating federal, state, and local agencies which USDA Rural Development deems shall be contacted to solicit an agency review of the proposed project, and to request NEPA comments.
- Fishburn Consulting LLC will help formulate scoping letters for RD to send to Tribal Historic Preservation Offices.
- Fishburn Consulting LLC will process all responses received from agencies that USDA Rural Development requires to be contacted for NEPA comments.
- Fishburn Consulting LLC will complete a comparative environmental review analysis of alternative options considered in order to compare the preferred project option to alternative options. This comparison is required by USDA Rural Development in accordance with its preparation requirements for an EA as found in 7 CFR Part 1970, Environmental Policies and Procedures, Subpart C—NEPA Environmental Assessments, 1970.102.

Complete an environmental assessment for the applicant's (Riley County) application for funding from USDA Rural Development ……. $20,000.

- Fishburn Consulting LLC will complete the research and discovery necessary to determine how the proposed project may impact environmental resources of concern to Rural Development and other public funding agencies. The County will be responsible for attaining surveys or reports that may be required by other cooperating Agencies, including archeological surveys, biological

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surveys, or wetlands delineation, or any other such reports that may be required by reviewing/cooperating agencies, and provide this information when finished to Fishburn Consulting LLC so the EA can be completed. The County, through its engineer, shall provide, make available to, or authorize to be made available to Fishburn Consulting LLC all information, documents, engineering reports, and such other information in its possession or control that may be necessary to complete an EA. Fishburn Consulting LLC can provide advice to the County and/or project engineer regarding the selection of consultants to complete reports or studies for the EA.

- The EA from Fishburn Consulting LLC will examine all Environmental Resources the Kansas RD Environmental Coordinator has directed to be analyzed. Through a required process of discovery, Fishburn Consulting LLC will examine and evaluate how such Environmental Resources may impact, or be impacted by, the proposed project for the entire scope of the project as described by the project Engineer in the preliminary engineering report. These evaluations will be based on calculations, extrapolations, models, precedent, logical inference, professional judgment, knowledge of environmental regulations, and other reasonable, accepted, and systematic methodologies as may be appropriate. As Fishburn Consulting LLC identifies potential adverse effects to the natural or human environment that may result from the proposal, Fishburn Consulting LLC will confer with the project engineer, Rural Development, and the Applicant to identify reasonable alternative actions or mitigation measures when such actions become costly and/or can delay the proposed project's completion. Fishburn Consulting LLC retains the right to negotiate with the County an additional fee for services if a significant change in the scope of the project from the one described in the engineer's preliminary report occurs.
- Fishburn Consulting LLC will, with the assistance of the County and Project Engineer, complete an 8 Step Floodplain Assessment per USDA's new RD Instruction 1970-F which became effective as of 12-1-2023.
- Fishburn Consulting LLC will complete and provide to USDA Rural Development a Biological Resources Evaluation that can be used by RD to contact the Kansas Office of the U.S. Department of Fish and Wildlife in order to determine if an ESA Section 7(a)(4) consultation between the agencies is required.
- Fishburn Consulting LLC will complete and submit to USDA Rural Development an EA which will meet USDA Rural Development's preparation requirements for an EA as found in 7 CFR Part 1970, Environmental Policies and Procedures, Subpart C—NEPA Environmental Assessments, 1970.102, and comply with Instructions E-O, and for NEPA, as amended (42 USC 4321, et seq.); the Council on Environmental Quality (CEQ) Regulations (40 CFR Parts 1500-1508) and as revised by the Council on Environmental Quality (CEQ). "National Environmental Policy Act Implementing Regulations Revisions Phase 2, Proposed Rule." Federal Register 88, no. 49924 (07/31/2023).
- Fishburn Consulting LLC agrees, as convenient to do so, to participate in planning meetings regarding the development of the project via video meeting participation.
- Fishburn Consulting LLC will submit a final EA, in a digital format, to the Kansas RD Environmental Coordinator, and a digital copy of this document to the County and project engineer/manager. Fishburn Consulting LLC will make any corrections to the EA as directed by the Kansas RD Environmental Coordinator. Once accepted by RD, the EA will be considered completed, and terms for payment will be fulfilled by the County.

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Essential Contractual Provisions required by Fishburn Consulting LLC.

1. If the contact between Riley County and Fishburn Consulting LLC (Company) is terminated, especially for any reason out of the control of Fishburn Consulting LLC, the County, in addition to any other rights provided for in this contract, may require Fishburn Consulting LLC to transfer title and deliver to Riley County in the manner and to the extent directed, any completed materials. The County shall be obligated only for those services and materials rendered and accepted prior to the date of termination. Fishburn Consulting LLC will keep a work log of the time spent by preparers working to complete the environmental assessment for the County, and a listing of tasks worked on. In the event of termination, the Company shall receive payment prorated for that portion of the contract period services were provided to or goods provided to the County.

2. Force Majeure. Fishburn Consulting LLC shall not be held liable if the failure to perform under this contract arises out of causes beyond the control of the Company. Causes may include, but are not limited to, acts of nature, fires, tornadoes, quarantine, strikes other than by Company employees, and freight embargoes.

References.

Reference	Person Completing EA	Year Submitted
Shari DeWitt, CMC City Clerk Yvonne Kirk, Deputy Clerk & Treasurer/ Chase Co. RWD 1 Bookkeeper **City of Strong City** P O Box 208 Strong City, KS 66869 Phone: 620-273-6345 Fax: 620-273-6110 Email (Shari): strongcity@sbcglobal.net Email (Yvonne): deputyclerk@strong-city.org	Phillip Fishburn	2022
Jim Koger, City Clerk **City of Overbrook** 401 Maple St. P.O. Box 288 Overbrook, KS 66524 Office: (785) 665-7328 Cell: 785-224-5157 Email: cityclerk@overbrookks.com	Phillip Fishburn	2020
Cole Herder, City Administrator **City of Humboldt** 725 Bridge St. P.O. Box 228 Humboldt, KS 66748 620-473-3232 office 620-228-3790 cell Email: cole.herder@humboldtkansas.org	Phillip Fishburn	2022

Additional references can be provided upon request.

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KCUR 89.3 | npr

USDA invests nearly $50 million into water infrastructure in rural Kansas

KCUR | By Eva Tesfaye

Published September 11, 2023 at 4:00 AM CDT



Cole Herder / City Of Humboldt

A rusty water pipe in Humboldt sprung two leaks after prior repairs. The City of Humboldt received close to $13 million in loans and grants from USDA Rural Development to replace distribution piping, valves, hydrants and meters.

Four towns and one county have received funding to upgrade their water and wastewater infrastructure, an urgent need across much of the rural U.S.

The U.S. Department of Agriculture is providing more than $49 million for water and wastewater infrastructure repairs and upgrades in four towns and one county in rural Kansas.

“Our rural communities in Kansas are in desperate need of investment and infrastructure. Water and sewer is no exception to that,” said Christy Davis, the state director of USDA Rural Development for Kansas.

KCUR
Here & Now

Attachment: RFP Response Keats Sewer Dist - Riley Co (14432 : Keats RFP proposals)

The cities of Girard, Humboldt, Mankato and Perry, as well as Neosho County will receive the funding. The money comes from the USDA's Water and Waste Disposal Loan & Grant Program.

Aging infrastructure is an issue across the country — the Environmental Protection Agency estimates that the country will need to spend $744 billion on water infrastructure in the next decade. It's an especially difficult issue for rural communities that often struggle to come up with necessary funds.

"A lot of it just boils down to the fact that by definition rural areas have fewer people, but a lot of the costs are still the same," said Tom Mueller, a rural sociologist at the University of Kansas Medical Center.

He said that programs like this exist to help address the shortfall. A study conducted by Mueller and published earlier this year found that investments in water infrastructure were associated with decreases in poverty and unemployment and increases in per capita income. The effect was stronger in counties with larger Black populations.

Yet the Water and Waste Disposal Loan and Grant Program doesn't cover private drinking wells, which many residents in rural areas rely on for their drinking water, including about 150,000 people in Kansas as of 2020. Private well water is not regulated or funded by the federal government, therefore those residents have to maintain their wells on their own.

"We don't have a good understanding of the quality of well water nationwide," said Mueller. "The few studies that have been able to be done are pretty old at this point, and they suggest that a lot of it's quite in rough shape."

The Water and Waste Disposal Loan & Grant Program has existed since the Water Facilities Act of 1937, but this year funds coming from the Bipartisan Infrastructure Law and the Inflation Reduction Act have enabled USDA Rural Development to give out more grant money. Three of the recipients, Neosho County, and the cities of Girard and Humboldt will all receive grants, as well as loans.

"For many of these communities, it's really hard to justify taking on debt," said Davis. "It's important that we as an organization realize that we need to make this funding

Attachment: RFP Response Keats Sewer Dist - Riley Co (14432 : Keats RFP proposals)

KCUR
Here & Now



Cole Herder / City Of Humboldt

Workers repair a live water main in Humboldt, Kansas. "Every year we have more and more water leaks because the pipes are so rusted and so fragile that just temperature shifts in the ground can cause leaks," said Cole Herder, the city administrator.

Cole Herder, the city administrator of Humboldt, said that taking on debt does raise concerns about how it's going to affect the next generation.

“It's a difficult thing. We're looking at loans that are 40 years to pay off,” he said. “I'll be long gone before then.”

He said water rates are already going to nearly double to pay off the loan, so the grant keeps those rates from increasing even more. However, he is still seeking additional grants to bring down the cost further. But Herder said it’s difficult for rural towns to find the staff, resources and time to seek out and apply for this funding.

“We have very limited staff and we wear a lot of hats, and it's not our full-time job to be looking for grants,” he said.

Communities can reach out to USDA Rural Development to receive help through the application process, though the office had more capacity to do so in the past, according to Davis.

“It's really important to me, and I think to most folks in government in Kansas, that we make sure these programs are accessible to the communities that need it most,” she said.

However, these programs still only meet a fraction of the needed investment for aging

Attachment: RFP Response Keats Sewer Dist - Riley Co (14432 : Keats RFP proposals)

“These big numbers, $49 million, that sounds like a lot, but then you look,” he said. “Okay, it's five projects. There's a lot more than five towns in rural Kansas, and they all have needs.”

Tags News | Rural development | water quality | infrastructure | U.S. Department of Agriculture



Eva Tesfaye

I report on agriculture, food and water issues for Harvest Public Media and the Mississippi River Basin Ag & Water Desk. I’m based at KCUR in Kansas City, Missouri. If you have story ideas, you can reach me at etesfaye@kcur.org or on Twitter @EvaRTesfaye.

See stories by Eva Tesfaye

Attachment: RFP Response Keats Sewer Dist - Riley Co (14432 : Keats RFP proposals)

Score sheet for Keats Environmental Assessment professional services consultant

Consultant name: _____

Reviewer name: _____

Date: _____

Criteria	Points awarded	Possible Points	Comments
Relevant experience – EAs in similar projects/communities		10	
Understanding of the problem being addressed, project needs, and necessary tasks		15	
Basic knowledge of Keats/Riley County		10	
Availability of staff/timeline		5	
All items submitted/addressed as per RFP		5	
TOTAL:		45	

Attachment: Score sheet (14432 : Keats RFP proposals)

COUNTY COUNSELOR/ADMINISTRATIVE SERVICES
Staff Update

Clancy Holeman
Counselor/Director of Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

STAFF REPORT

FROM: **Clancy Holeman, Riley County Counselor**

MEETING: **January 22, 2024**

SUBJECT: **Pending County Projects County Counselor**

PRESENTER: **Clancy Holeman, Riley County Counselor**

Enclosures:
- FINAL_Commission List 01.22.2024 (DOCX)

PENDING COUNTY PROJECTS ▪ August, 2023 and through January 17, 2024 Submitted by Clancy Holeman, Riley County Counselor

NOTE: The below lists are not intended to be a comprehensive list of all "pending" Commission or other County Department/Division projects underway. Instead, the below lists represent an ongoing "snapshot" of the current status of selected pending projects which have either consumed significant staff time or involve county issues of widespread significance. Additional entries show selected project work for individual county departments. The sequence of entries below is not intended to reflect the priority assigned to any work described. All entries more than 6 months old have been removed (with the exception of some entries when historical information may be useful). ***Bold type entries are the most recent.***

COMMISSION LIST

I. Projects By Category:

American Rescue Plan: Discussion with staff about possibly engaging consultant to assist County with federal/state requirements in future use of County's $14M allocation of ARPA funds. Similar concept to staff's use of consultant with prior CARES funding. Unlike CARES funding, a primary focus of ARPA funding is infrastructure. (8-31-21)

Board of Riley County Commissioners: Prepare for public hearing on special use authorization on BOCC agenda 5-1-23. (4-30-23) Attend and participate in 5-1-23 BOCC public meeting. (5-1-23) Return 5-2-23 call from citizen requesting a "fence view." Leave voicemail. (5-3-23) Discuss with citizen their return call requesting a "fence view." I'll send packet for citizen to complete and return, cautioning this matter may not be subject to fence view process. Citizen says they understand that is a possibility. (5-3-23) Attend and participate in BOCC public meeting. (5-4-23) New request for fence view. Advise packet will be mailed to them. (5-4-23) Prepare for BOCC public meeting of 5-8-23. (5-6-23;5-7-23) Attend and participate in regular BOCC public meeting. (5-18-23; 5-22-23; 6-1-23) Work on county budget preparation information. (5-18-23; 5-19-23) Review information from a department on township legal issue.(5-21-23) Work on scheduling future executive session. (5-22-23) Preparation for presentation to BOCC during its June 1, 2023 meeting of City of Ogden "Interlocal Service Agreement"—fourth of those agreements presented to our 4 "small cities". Prepare correspondence to City of Ogden attorney. (5-30-23) Attend and participate in BOCC meetings. (6-1-23; 6-5-23) Mail City of Ogden attorney fully executed originals of "Interlocal Service Agreement—sales tax reimbursement. (6-5-23) Review request for letter of support from BOCC. (6-6-23) Work on county budget preparation information. (6-6-23) Work on fence view scheduling and notice. (6-5-23; 6-6-23-6-7-23) Prepare requested letters of support for telecommunications providers' applications for state of Kansas LINC grant program. (6-9-23). Email completed letter of support to contact for one provider, as requested by Cox Communications. (6-12-23) Work on 2 fence view applications. Attend and participate in BOCC public meetings. (6-8-23; 6-12-23) Conversation with opposing counsel on pending litigation in Riley County District Court. (6-14-23) Provide TVT BOCC-signed letter of support. (6-14-23) Work on scheduling fence views. Notices out to applicants and adjoining landowners served by the fence. (6-15-23) Teams meeting with Bond Counsel and Craig, Shelley and Rich about route for financing two pending county projects. I review and approve authorizing resolution and send it on to Bond Counsel for review. (6-21-23) Attend and participate in BOCC meetings.(6-22-23; 6-26-23; 6-29-23) Attend delinquent tax sale. (6-23-23) Work on scheduling of fence view. (6-22-23; 6-23-23; 6-26-23; 6-27-23) Work on and provide letter of support from BOCC for City of Ogden grant application federal program. (6-28-23; 6-29-23; 7-1-23) Work on District Court appeal by Prairiewood of BOCC approval of preliminary and final development plans for Liquid Art Winery. (6-29-23; 7-1-23) Work on county budget analysis for BOCC. (7-2-23; 7-3-23; 7-4-23) Prepare for BOCC public meeting of July 6, 2023. (7-5-23) Communicate with counsel for fence view applicant Hopkins. Request property access address detail. (7-5-23) Attend and participate in BOCC meetings. (7-6-23;7-10-23) Register

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for upcoming KAC zoom on LAVTR. (7-11-23) Work on fence view scheduled for 7-13-23. (7-11-23) Work on scheduling of different upcoming fence view for end of July, 2023. (7-7-23; 7-8-23; 7-9-23; 7-11-23) Work on Bala Township "county property" issue. (7-10-23; 7-11-23) Work on fence view scheduled for 7-13-23. (7-10-23; 7-12-23) Legal analysis of appropriation question involving outside agency. (7-12-23) Attend and participate in BOCC meetings. (7-13-23; 7-17-23) Attend and participate in Hopkins/Pralle fence views. (7-13-23) Final additional notices of Nelson fence view to occur July 24, 2023 prepared and mailed to both parties. (7-14-23) Prepare for 7-24-23 BOCC meeting. Attend and participate in BOCC meetings. (7-20-23;7-24-23) Attend and participate in Nelson and Rhoton fence view. (7-24-23) Attend and participate in BOCC meetings. (7-27-23;7-31-23) Work on Hopkins/Pralle fence view. (7-28-23) Attend and participate in BOCC meetings. (8-10-23;8-14-23) Work on commission agenda report for draft fence view order on Hopkins/Pralle view. (8-14-23; 8-15-23) Attend and participate in BOCC meetings. (8-17-2023; 8-21-23;8-24-23; 8-28-23; 8-31-23) Prepare letter of support for City of Ogden grant application. (9-13-23) Attend and participate in BOCC meetings. (9-7-23; 9-11-23) Assist in finalization of annual County financial audit. (9-14-23) Attend and participate in BOCC meeting. (10-12-23.) Work on pending litigation "I". (10-13-23) Attend and participate in BOCC meeting (10-16-23.) Attend and participate in BOCC meetings. (10-19-23;10-23-23) Work on communication project. (10-24-23; 10-25-23.) Review contractual provisions for subsequent use.(10-25-23.) Attend and participate in BOCC meeting. (10-26-23.) Attend and participate in County/City/USD 383 meeting. (10-26-23.) Attend and participate in BOCC public meeting in City of Ogden. (10-30-23.) Attend and participate in BOCC meeting. (11-2-23.) Prepare for late arrival to BOCC meeting on November 6, 2023. (11-5-23.) Work on Fire District project. (11-7-23) Attend and participate in BOCC meetings. (11-9-23; 11-13-23) Attend and participate in BOCC meeting. (12-28-23) (Work on fence view issue. (1-2-24) Review agenda and prepare for 1-4-24 BOCC meeting. (1-3-24***) Attend and participate in BOCC meeting. (1-4-24) Prepare for 1-8-24 BOCC meeting. (1-5-24) Work on fence view issue. (1-5-24) Attend and participate in BOCC public meetings. (1-8-24; 1-11-24) Review project contract. (1-11-24) Work on fence view. (1-14-24; 1-15-24; 1-16-24; 1-17-24)***

"Constitutional Protection of County Home Rule":

County Counselors Association of Kansas:

County Jail Inmate Medical Care: Schedule staff discussion of contract development. (5-21-23)

Countywide Emergency Radio Communications System Upgrade: The upgrade is complete. But now the "program" phase has been completed, additional work from this department will be provided, as necessary, during the "maintenance" and "warranty" periods now underway. Discussion with contract administrator for vendor (L3Harris) scheduled for August 27, 2021. Discussion held with vendor contract administrator. Discussion with EM Director (8-30-21). Working toward final documents of "program" phase. Conversation with EM Director. (9-24-21) Conversation with L3Harris contract administrator, moving this matter toward likely resolution by the BOCC on 9-30-21. (9-24-21) Review appropriately continues among EM, KSU and Emergency Dispatch personnel regarding close out of this phase of the project. (9-24-21) Draw Commission Agenda Report and place on 9-30-21 agenda for BOCC review and approval of contract documents. (9-28-21) Discuss final contract documents for agenda separately with EM Director and L3Harris Contract Administrator. (9-29-21) Obtain BOCC approval of Amendment 1 to Master Service Agreement. (9-30-21)

"Dark Store":

District Court:

Federal Rules on Vaccination Mandate:

First Christian Church: Now this property is "listed" as a "historic site," there are state law restrictions

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applicable whenever a "project" is undertaken involving potential repair, damage or destruction of the site or its structure. Discuss text of journal entry proposed by counsel for Respondents. (12-9-22; 12-11-22) Request transcript of Court's ruling. Arrange for generation of check based on invoice from court reporter. (12-20-22) Work on pending appeal by neighboring property owner. (12-27-22; 12-28-22; 12-29-22) Review transcript and notify opposing counsel I will provide revised version of her proposed journal entry—in order to conform the journal entry to the text of the transcript. (1-4-23) Provide opposing counsel proposed revised journal entry. (1-29-23) Following exchange of respective journal entries in February, 2023, counsel review proposed changes and agree on final version for filing with court. (2-28-23; 3-3-23; 3-5-23) Prepare notice of appeal, following legal research. (4-3-23; 4-4-23; 4-5-23) File Notice of Appeal in District Court. (4-5-23) Finalize notice of appeal, given appointment of Lyon County District Judge at outset of appeal. Discuss with staff of Lyon County District Court Judge and with Riley County District Court Clerk staff member. Provide copy of notice of appeal to Lyon County District Court Judge who was assigned and heard appeal. (4-6-23) Work on appeal. (5-24-23; 5-30-23; 5-31-23; 6-1-23) Legal research on appeal. (6-2-23; 6-5-23) Work on appeal. (6-13-23; 6-14-23; 6-15-23.) Work with opposing counsel on Court of Appeals request for additional document from me. We are in agreement its equivalent is already part of the Record on Appeal. I will file response with Court of Appeals stating that fact. (7-17-23; 7-19-23) Communication with opposing counsel on immediately preceding issue. (7-21-23; 7-22-23; 7-24-23-7-25-23) Work on immediately preceding response and file with Court of Appeals. (7-21-23; 7-22-23; 7-23-23; 7-24-23; 7-25-23) Court of Appeals has retained jurisdiction based upon my Response to Order to Show Cause. Draft and file Motion for extension of time to file brief in support of County's position. (7-31-23) Work on record on appeal. (9-11-23;9-12-23;9-13-23)Work on Appeal. (9-14-23;9-15-23;9-16-23;9-17-23;9-18-23;9-19-23; 9-20-23; 10-4-23;10-5-23-10-6-23;10-7-23;10-8-23;10-10-23; 10-11-23.) Work on appeal. (10-12-23; 10-17-23; 10-18-23.) Conversation with opposing counsel and agree to extend her time to file brief. (11-3-23)

Indigent Legal Services: Attorney contracts for 2022 were created and emailed to current attorneys under contract. (11-3-21) Notice to Riley County Bar Association of at least one attorney vacancy effective January 1, 2022. (11-4-21) Proposed 2022 contracts have been provided to all current lawyers under contracts. None returned as of 11-23-21. No indigent legal service contracts are in place for calendar year 2022. Work on various issues related to this service. (2-10-23; 2-13-23; 2-14-23; 2-15-23; 2-16-23; 2-19-23; 2-20-23; 2-21-23; 2-22-23; 2-24-23; 2-26-23; 2-27-23; 2-28-23; 3-1-23; 3-2-23; 3-3-23; 3-4-23; 3-6-23; 3-7-23; 3-8-23) Work on various issues related to this service. (3-19-23) Work at staff level on compensation for this service. (3-28-23) schedule next staff level discussion of compensation for this service. Discuss with Deputy Counselor compensation for this service. (3-29-23) Work on project. (6-1-23) Work on project. (6-8-23) Draw up final version of CAR; RFP; and Contract. (6-19-23; 6-20-23) Obtain BOCC approval of form RFP and Contract. (6-22-23) Finalize RFP and contract and distribute to local Bar Association membership with encouragement to apply well before August 4, 2023 deadline for proposals because they will be considered as they are submitted. (6-29-23; 6-30-23) Create documents for publication in newspaper and placement on county website for this service. (7-7-23; 7-10-23; 7-11-23; 7-12-23) Deadline for proposals to arrive in Clerk's office 5 p.m. August 4. Work on issue related to service. (10-25-23.)

Legislation: Invitations out to state delegation for December 12, 2022 legislative conference, along with copy of agenda. (12-1-22) Reminders out to legislative delegation of 12-12-22 legislative conference. (12-8-22) Preparation for legislative conference. (12-11-22) Attend and participate in legislative conference. (12-12-22) Discuss legislative issue with County Appraiser. Review information and advise. (12-27-22) Discuss with 2 other county's county counselors possibility of linking up both our respective legislative delegations and lobbyists for cooperative action on potential "nuisance abatement" statute during 2023 legislative session. (12-29-22) Discuss with County Clerk and legislative delegation member the RNR statute. (1-3-23) Drive to Topeka and pick up lobbyist badge for 2023 state legislative session. (1-3-23) Week of January 23, 2023: Work on "vacant lot" house bill (HB 2083) and discuss with our legislative delegation; Work on RNR statute modification bill (HB 2002) and provide BOCC written testimony in support. Review legislative issues identified by contract lobbyist. (1-27-23.) Work on Nuisance Abatement legislation proposal on Riley County

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platform. (1-25-23;1-26-23; 1-27-23) Work on SB 90 and HB 2148—Treasurers' Association auto tag fee bill. (1-26-23; 1-27-23) Review proposed schedule for temporary financing of High Plains Road project. (1-28-23) Review testimony from County Clerk's association on HB & HB involving election matters. (2-6-23) Work on SB 162 (nuisance abatement) (2-9-23;2-10-23) Complete testimony in support and deliver required 75 paper copies to lobbyist for routing to Senate Local Government committee secretary.(2-10-23) Provide Riley County state legislative delegation, contract lobbyist, and KAC Riley County's testimony in support of SB 162. (2-10-23) Route to Rep. Mike Dodson County Appraiser's input on: HB2232 (Appraiser Qualifications); HB 2319 (tax exemption on business property in competition with property owned or operated by government); HB 2201(requiring 5 years valuations listed on CVNs); HB 2200 (exemption on homestead, retired, military); HB 2220 (5yr property tax exemption on startups); HB 2231 (tax exemptions for daycare); HB2056, HB 2057, HB 2237(no position from appraisers' association or Appraiser). Provide BOCC testimony and our SB 162 to another county at that other county's request—they are struggling with a number of "nuisance" real properties. (2-10-23) Work on SB 1623 and prepare for upcoming legislative hearing. (2-13-23) Attend and participate in legislative hearing on SB 162 before Senate Local Government Committee. (2-14-23) Zoom with Treasurer and County Clerk on SB 248. (3-1-23) Work on SB 248 & 252 analysis for relay to KAC and legislative delegation. (3-2-23;3-3-23; 3-7-23; 3-8-23) Work on analyzing SB 228 (amendment of multiple statutory provisions on jail administration) in response to legislative delegation member's question; after requesting and receiving impact opinion from RCPD on any change county might support for reimbursement of jail inmate medical costs. Communicate with legislator. (3-8-23; 3-13-23;3-14-23) Communicate with contract lobbyist to work on scheduling "virtual" follow up legislative conference with delegation. Work with Cindy K. (3-15-23). Analyze and prepare for discussion of potential litigation in upcoming executive session. (3-15-23) Discuss legislative matter with member of delegation. (3-15-23) Communicate with legislative delegation to schedule virtual follow up legislative conference either April 10, 2023, or April 17, 2023. (3-16-23) Communicate with contract lobbyists. (3-17-23) Communicate with responding delegation members about their preferred dates. (3-18-23;3-19-23) Review communication from delegation member on pending bills. (3-19-23) Communicate with County Appraiser on proposed SCR freezing real property tax values at no more than 3% increase annually.(3-19-23) Work with PIO and County Appraiser on public statement regarding legislative item. (3-20-23; 3-21-23 Respond to staff communication on apparent status of SB 248 (exemption for "food" in existing and future local sales taxes) and HB 2002 (RNR notice costs paid by the state). (3-22-23) Work at county staff level on SB 248; SB 252. (3-1-23; 3-2-23; 3-3-23) Prepare for discussion with BOCC I'll suggest at tonight's public meeting in City of Riley. (3-30-2023) SB 323—requiring election of all county appraisers statewide. (3-30-23) Work on H Sub SB 42. Discuss with contract lobbyist. (4-2-23; 4-3-23) Work with PIO and County Appraiser on possible press release regarding SCR 1610. (3-21-23; 3-22-23) Prepare for March 27, 2023 Intergovernmental Luncheon and legislative update to present. (3-26-23) Attend and participate in Intergovernmental Luncheon—statutory update. (3-27-23) Work with PIO and County Appraiser on possible press release regarding SCR 1610. (3-27-23) Email delegation invitation to virtual follow up legislative conference scheduled for April 10, 2023, 10:30-11:30 a.m. (4-3-23) Review amended HB 2002—eliminating that portion of existing locally voter approved sales taxes generated by food sales; SCR 1611—4% ceiling on annual property valuations. (4-6-23) Draft agenda for 4-10-23 virtual legislative conference. Invitations out to contract lobbyist and KAC lobbyist. (4-7-23) Discussion with county's contract lobbyist on status of various legislative items following legislature's 4:30 a.m. adjournment Friday morning. (4-7-23) Draft agenda for virtual legislative conference. (4-7-23) Assist BOCC with conducting virtual legislative conference. (4-10-23) Review portions of 127-page Conference Committee Report on SB 8 "competition" and a host of other legislative issues. (4-27-23) Conversation with contract lobbyists to schedule teams meeting. (8-2-23) Communicate with contract lobbyists to schedule upcoming Teams meeting. (8-3-23; 8-4-23;8-6-23) Prepare for Thursday upcoming presentation to BOCC of 2024 session legislative requests for KAC legislative platform. (8-6-23) Teams meeting with contract lobbyists. (8-9-23) Meeting with member of state legislative delegation and BOCC member. (8-21-23) Attend and participate in first KAC legislative policy committee meeting. (8-30-23) Discuss with BOCC potential annual legislative conference dates in December, 2023.(10-16-23) Notify delegation members conference scheduled on the following date which worked for a majority of responding

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legislators: December 14, 2023, noon to 2 pm. (10-26-23) Work on agenda for legislative conference (10-27-23; 10-30-23) *Work on agenda for legislative conference. (11-13-23;11-14-23;11-15-23) Work on letter of BOCC support for SB 196. Obtain BOCC signatures and email to Senate Assessment and Taxation Committee. (1-4-24;1-5-24;1-7-24;1-8-24) Prepare and submit timely lobbyist compensation report for **2023** legislative session. (1-10-24) Prepare BOCC opposition letter for HB 2036. (1-10-24) Present draft of HB 2036 opposition testimony. Re-draft to insert BOCC changes. Obtain BOCC final approval of letter. Timely submit to senate committee secretary final version of HB 2036 BOCC opposition testimony. (1-11-24) Communicate with House delegation on BOCC testimony submitted previously to Senate Tax on SB 196 and HB 2036. (1-15-24) Communicatewith contract lobbyist on HB 2468 (a bill of concern to Emergency management) (1-16-24) Communicate with member of state delegation on SB 196; HB 2036. Work on HB 2026 opposition testimony. (1-16-24) Work on HB 2036. (1-17-24)*

Leonardville North County EMS Station: Follow up call to City of Leonardville attorney. (4-11-23) Set up phone appointment with City of Leonardville Attorney—to discuss having city begin process of opening the easement as an alley for access to the site. (5-3-23) Phone discussion with City of Leonardville attorney and arrange for teams meeting next Tuesday (5-9-23) with him, Craig and me to discuss details of City legally "opening" alley to site of ambulance and performing tree trimming along that alley. (5-3-23)

National Opioid Litigation Settlement: Notice of Deadline to "opt in" to latest round of national opioid class action litigation settlements is April 18, 2023. (3-27-23) Prepare and submit CAR for BOCC 4-10-23 public meeting; with my recommendation to BOCC regarding "opt in" to latest round of national opioid class action litigation settlements—5 new defendants settling. Discuss with Assistant Attorney General managing this matter state-wide. (4-6-23) Submit electronically our "opt in" to latest round of national opioid class action settlements, as previously authorized by BOCC. Confirmation from settlement administrator that "opt in" accomplished. (4-14-23)

NG-911 Committee (Road naming): Attend and participate in committee meeting. (2-14-23)

Proposed Construction of EMS/EM/RCFD Emergency Services Headquarters: Schedule work session for discussion of design issue related to facility. (1-27-23)

Riley County Annual Legislative Conference: Discussion with County Register of Deeds to schedule meeting week of December 5th to review documentation of long-term revenue loss to Riley County caused by legislature's past elimination of the mortgage registration fee. (12-1-22) Work preparing for 12-12-22 legislative conference. (12-8-22; 12-11-22) Discuss legislative conference information with County Appraiser. (12-8-22) Discuss legislative conference information in meeting with County Register of Deeds. (12-9-22) Work with members of delegation; 2023 Annual Legislative Conference scheduled for Thursday, December 14th, from noon to 2 p.m., BOCC chambers. (10-23-23) Conversation with member of delegation—confirming member will attend. (10-24-23.)

Riley County District Court: Discussion regarding BOCC consideration of funding potential "resolution docket" to assist with case backlog. (4-27-23)

Rural Economic Development Advisory Board:

Staff Budget and Planning Committee:

White Canyon Benefit District: White Canyon benefit district's residents' request, made during this date's public commission meeting, asking whether Riley County willing to supplement the cost of the benefit district's proposed private road improvement project. No dollar figure provided by benefit district residents.

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County staff instructed to provide BOCC at upcoming meeting most recent Riley County Public Works' "estimate" of "northern route" as an option to current benefit district project proposed. (8-30-21)

II. Projects by Department or Division:

Administrative Services/County Counselor: Work on matters related to departmental transition. (1-25-2023; 1-26-2023; 1-27-2023) Interviews of applicants for Deputy County Counselor position in transition scheduled to take place 9-29-23.-23. (3-2-23; 3-3-23)

Riley County Appraiser's Office: Discuss separate exemption through bond issue. (5-3-23) Analyze IRB issue and advise Department Head. (5-5-23) Advise on legal question. (5-19-23) Assist Dept. Head with legal issue. (5-30-23) Advise on separate legal issue different from immediately preceding first two issues. (5-30-23) Discussion with Department Head. (6-13-23) Return call from Department Head. Discussion with Department Head of legal issue. (6-14-23) Meeting with County Appraisal and legal staff on nuisance property issue. (6-14-23) Communicate with Department Head on legal issue. (6-20-23) Assist and advise Dept. Head on BOTA issue. (7-18-23;7-19-23) Advise Department Head on BOTA issue. (7-20-23) Communicate with Department Head and Deputy County Counselors about BOTA issue. (8-9-23) Communicate with Department Head and this office's Deputies regarding property tax exemption issue. (8-13-23) Communicate with Department Head and this offices Deputies regarding property tax valuation issue. (8-13-23) Discuss with Department Head and advise on legal issue. (8-14-23; 8-15-23) Communicate with department Head on costs associated with BOTA appeal. (12-29-23) Communicate with staff on immediately preceding issue. (1-1-24) ***Communicate with Appraiser on exemption application. (1-11-24)***

Riley County Attorney: Work on contract for services. (2-22-23) Work on immediately preceding contract with Department Head. (2-27-23;2-28-23;3-1-23;3-2-23) Respond to Department head update on pending discussion to schedule with counsel on our BOTA cases. (4-7-23) Discuss with Department Head legislative issue. (4-7-23)

Riley County Clerk: Assist with KORA issue. (5-3-23) Assist with same KORA issue through communication with outside requester; communication with I.T. based on prior provision of similar information requested in 2021. (5-4-23) Work on request for electronic data. (5-22-23; 5-23-23; 5-26-23) Discuss contract issue. (6-2-23) Discuss contract issue. (6-13-23; 6-14-23) Work on same contract issue. (6-14-23) Teams meeting with Clerk and Election Supervisor on contract issue. (6-15-23) Confirm with County Clerk and Election Supervisor vendor has agreed to contractual provisions attachment; advise to place on BOCC agenda of public meeting on 6-22-23. (6-19-23) Work on separate proposed contract. Schedule Teams Meeting with Department Head and Election Supervisor for 6-21-23. (6-20-23) Teams meeting with Department Head and Election Supervisor on contract issue. Discuss. (6-21-23) Work with staff and advise on open records act issue. (7-24-23;7-25-23;7-26-23) Work on new open records act issue. (7-27-23; 7-28-23; 7-31-23; 8-1-23) Work on open records act issues. (8-2-23; 8-3-23; 8-4-23; 8-7-23; 8-8-23; 8-9-23) Advise and assist on open record act issue. (9-12-23;9-13-23) Schedule meeting with staff of two departments to plan means of addressing particular type of KORA request in most fair and efficient manner to reduce, potentially, two departmental workloads. (9-13-23;9-14-23) Reschedule forgoing meeting to 10-27-23. (10-19-23) Work on contract law issue. (10-24-23) Assist with legal issue. (11-3-23;11-5-23; 11-6-23.) Approve on minute track as to form revised parking lot resolution developed by Deputy Counselor. (1-2-24)

Riley County Community Corrections: Discuss with PIO and department Head proposed correction of recent published newspaper article on grant award to Department. (1-2-24) Further conversation with Department Head and PIO about immediately preceding newspaper article. (1-2-24)

Riley County Emergency Management: *Work on project issue. (11-7-23; 11-8-*23) Conversation with stakeholders on a radio tower lease amendment. (1-2-24)

Attachment: FINAL_Commission List 01.22.2024 (14433 : Clancy's Commission List)

Riley County Emergency Medical Services: City Commission has asked counsel for both entities to develop a document allowing County use and potential improvements to alley providing access to lot purchased by County for North County ambulance station. I send email to counsel for City of Leonardville advising of this and inviting him to call me to discuss. (12-7-22) City Attorney responds and confirms parties understand what's necessary. Consultation with Craig. (12-8-22) Discuss with Department Head arrangement for site visit on 12-21-22. (12-20-22) Site visit with Department Head and Deputy County Counselor to be rescheduled. (12-21-22) Work on North County ambulance station design project. Discuss with Department Head. (1-29-23) Respond to communication from outside counsel on pending matter.(3-19-23) Prepare for teams meeting tomorrow morning on opening of alley easement for estimated September, 2023 completion of Leonardville North County Ambulance station. (5-8-23)

Riley County Extension: Work on annual authorization for controlled beer sales during rodeo at county fair. (5-31-23) Work with Director on parking issue at fair site. Contact USD 383. (7-20-23; 7-21-23)

Riley County Fire District No. 1: Schedule conversation with Department Head for 4-21-23 on Ashland Bottoms and University Park fire station projects—recently rejected bids—next steps. (4-17-23) Attend staff meeting on open burning issues with: Riley County Attorney; RCPD; Fire District Chief. (4-19-23) Meeting with Fire Chief on issues related to construction of two fire stations. (4-21-23) Review material on land swap proposed between Fire District and University Park, for construction of ne4w fire station. (4-27-23) Leave message for Department Head in response to call earlier today. (4-27-23) Discussion with Department Head regarding University Park's agreement to contract terms for land swap as relayed previously by Department Head to University Park Advisory Board members. (4-27-23) Work on contract law issue. (11-7-23; 11-8-23.) Work on separate contract law issue. (11-7-23) Prepare for January 9, 2024 training presentation to District leadership. (12-27-23; 12-28-23; 12-29-23; 12-30-23; 12-31-23; 1-1-24) Conversation with HR Director regarding upcoming training to District leadership. (1-2-24) Conversation with Department Head on pending litigation. (1-2-24) Additional conversation with HR Director regarding upcoming training to District leadership. (1-2-24) Preparation for January 9, 2024 training presentation to District Leadership.(1-3-24) ***Check out technology at Public Works for tonight's training presentaitn to District Leadership. (1-16-24) Present training, along with HR Director, to District Leadership. (1-16-24)***

Riley County GIS: Assist with provision of "shapefile" requested by company. Communicate with company representative and GIS staff. (6-5-23; 6-6-23)

Riley County Health Department Advise Department Head on issue involving small city. (6-19-23) *Work on contract law issue. (10-12-23;10-13-23.)*Work on contract law issue. (10-19-23;10-23-23; 10-24-23.)

Riley County Historical Museum:

Riley County Human Resources. (5-3-23) Work with HR and Department Head on personnel issue. (5-4-23) Discuss with staff "COVID" working group (Ambulance; RCHD; HR; Clerk) end of the public health emergency and benefits question raised. ((5-4-23) Communicate with HR and Department Head on personnel issue. (5-4-23) Discussion with Deputy County Counselor Woodard regarding legal issues surrounding immediately preceding legal issue. (5-4-23) Work on immediately preceding issue. Communicate with HR and Department Head. Schedule meeting with HR and Department for 5-5-23 (5-4-23) Meet with HR and assist with unrelated personnel issue. (5-4-23) Meet with Department Head and Deputy Counselor Woodard on issue scheduled on 5-4-23. (5-5-23) Teams meeting with HR and department leadership on personnel issue. Follow up with HR on same personnel issue. (5-8-23) Conversation with HR on different personnel issue. (5-8-23) Discuss personnel issue with HR Director. (5-19-23) Work on personnel issue. (5-22-23) Communicate with HR on pending litigation matter. (5-22-23) Assist HR with personnel issue. (5-31-23)

Attachment: FINAL_Commission List 01.22.2024 (14433 : Clancy's Commission List)

Assist HR with personnel issues. (6-6-23) Assist HR with contractual issue. (6-7-23) Assist HR and county department with personnel issue. (6-12-23) Exchange communications with HR and department about personnel issue discussion rescheduling. (6-16-23) Communication from Dept. on personnel issue. Analyze. (6-15-23) Work on legal issue for Department. (6-25-23) Assist Department with legal issue. (6-26-23) Assist Director and a Department Head with HR matter. (7-11-23; 7-12-23) Discuss 3 different personnel law issues with Director. (7-18-23) Advise Department on 2 unrelated personnel law issues. (7-21-23) Discuss personnel law issue. (8-2-23) Communicate with HR regarding legal issue. (8-9-23) Communicate with HR regarding search to fill vacant Legal Assistant Position. (8-13-23) Finalize Greed Dot Contract. (9-12-23) Conversation with HR. (10-12-23.) Review example of proposed Performance Review new form to be completed by 10-16-23.(10-12-23) Work with a department on HR issue "IV." (10-13-23.) Work with Department on unrelated HR issue("V"). (10-16-23.) Work with Department on unrelated HR issue "VI".(10-16-23.) Work with department on Personnel issue I. (10-19-23;10-23-23; 10-25-23.) Work with division on personnel law issue II. (10-24-23.) Work with Division and Department Head on personnel law issue II. (10-25-23;10-26-23;10-27-23;10-28-23-10-29-23;10-30-23) Work with Division and Department Head on personnel law issue. (11-1-23.) Work with Division and Department on personnel law issues. (11-2-23;11-3-23; 11-5-23;11-6-23.) *Work on personnel law issue for Division and Department. (11-10-23).Work with Division and Department on personnel law issues. (11-9-23;11-13-23; 11-14-23).* Prepare for disciplinary action appeal scheduled for January 4, 2024. (12-289-23) Communicate with team members on working group considering revision of personnel manual. Working group to reconvene 1-9-24. (1-2-24) ***Work on personnel issue. (1-4-24; 1-5-24) Communicate with Department head and Division head on upcoming potential meeting regarding process. (1-12-24) Communication from Division head on upcoming work group work for discussions on personnel policies. (1-12-24) Working group discussion of personnel policy issues. (1-12-23)***

Riley County Information Technology/GIS Follow up on "shapefile" request from company. (6-5-23) *Work with department on contract law issue. (10-24-23.)* Conversation with GIS staff member regarding City GIS "layer" issue. (1-2-24)

Riley County Museum: Advise Director on question raised on behalf of Historical Society. (5-3-23)

Riley County Noxious Weeds/Hazardous Household Waste: Discuss with department head upcoming potential property leases of county ground. (5-3-23) Request Department Head provide copy of deed on one of leased properties—to review restrictions on all the leased properties. (5-4-23) Schedule discussion with Department Head on real property issue. (5-22-23) Review and approve as to form weed control contract proposed by KDOT. Inform Department head I've done so. (1-2-24) Conversation with Department Head on immediately preceding contract. (1-2-24)

RILEY COUNTY POLICE DEPARTMENT—Administered by Law Enforcement Agency ("Law Board"): *Communication from City Manager, County Clerk and County Attorney regarding RCPD question about potential ordinance or resolution. I contact Barry Wilkerson for discussion. (1-12-24)*

Riley County Public Information Officer: Conversation on lawful options for final version of BOCC minutes. (10-24-23.)

Riley County Planning & Development: Relay information obtained to Planning & Development. (5-3-23) Assist Dept. Head with road renumbering issue. (5-30-23) Draw up agreed order withdrawing my motion finding requests for admission provided appellant are admitted. File approved order electronically. (6-5-23; 6-6-23) Schedule meeting with Department Head and staff on nuisance property. (6-9-23) Work on benefit district project and its authorization. (6-12-23; 6-13-23) Communicate with staff on nuisance property. (6-14-23) Work on Prairiewood appeal to District Court. (7-25-23; 7-26-23) Communicate with staff on different

Attachment: FINAL_Commission List 01.22.2024 (14433 : Clancy's Commission List)

property in violation of county codes. (7-27-23) Work on Prairiewood appeal to District Court. (8-1-23; 8-2-23) Work on Prairiewood appeal to District Court. (8-3-23; 8-4-23; 8-6-23; 8-7-23; 8-8-23; 8-9-23) Work on Prairiewood appeal to District Court. (8-10-23;8-11-23; 8-12-23;8-13-23;8-14-23;8-15-23;8-16-23) Work on Prairiewood appeal to District Court. (8-17-23; 8-18-23; 8-19-23;8-20-23;8-21-23;8-22-23;8-23-23; 8-24-23;8-25-23; 8-26-23;8-27-23;8-28-23) Represent County in District Court hearing on Prairiewood appeal. (8-29-23) Conversation with landowner. (10-12-23.) Review and approve Comprehensive Plan resolution "as to form" for 10-16-23 BOCC meeting.10-12-13.) Work on pending litigation. (10-13-23) Work on pending litigation "III". (10-13-23.) Work on pending project "I ". (10-13-23.) Conversation with opposing counsel in pending appeal "II." (10-13-23) Work on benefit district project. (11-6-23; 11-7-23.) Work to schedule meeting with business and staff on different pending legal issue. (11-7-23; 11-8-23)

Riley County Public Information Officer: (5-8-23) Further communication with PIO and working group about same informational program. (5-8-23) Communication from PIO requesting legal advice. (7-24-23)

Riley County Public Works: Discuss with Department Head and Assistant County Engineer transfer station operation. (5-2-23) Work toward potential agreement on parking lot. (5-3-23) Work toward potential agreement on parking lot. (5-4-23) Discuss potential contract and bid documents on culvert replacement. Advise Assistant County Engineer. (5-5-23) Communicate with Staff on completion of review of contract issue. (5-19-23) Analyze contract issue on separate project at request of Department Head. Discuss with Department Head. (5-19-23) Teams meeting with Department Head on lease issue; and on township issue. (5-23-23) Communicate with landowner. (5-24-23) Continue work on lease issue.(5-24-23; 6-6-23) Work on same lease issue. (6-11-23; 6-12-23) Discuss transfer station operation with Department Head and Assistant County Engineer (6-12-23; 6-13-23; 6-14-23) Work on benefit district project and its authorization (6-12-23; 6-13-23) Discuss transfer station issue with Department Head and Assistant County Engineer. (6-14-23) Communicate with Department Head and Assistant County Engineer about opportunity to Teams Meet with Operator and his counsel 6-23-23. (6-19-23) Send invitations for Teams Meeting to Operator, his counsel, Department Head and Assistant County Engineer. (6-20-23) Work on parking lot lease project. (6-19-23; 6-20-23; 6-21-23; 6-22-23; 6-26-23) Work on contract for transfer station. Communicate with Department Head and Assistant County Engineer. (7-1-23) Communication from KDOT on City of Ogden bridge inspection.(7-1-23) Work on contract for transfer station. (7-1-23; 7-2-23; 7-5-23) Review and approve "as to form" term sheets and associated bond counsel documents for financing of two distinct scheduled construction projects. (7-20-23) Work with bond counsel on financing for two distinct scheduled projects. (7-24-23; 7-25-23) Review and approve as to form contract documents for public safety headquarters construction project—Construction Manager at Risk. (7-27-23) Work on contract for transfer station. (8-3-23; 8-4-23) Review for BOCC signature at this Thursday's scheduled public meeting, proposed final contract returned today by transfer station operator. (8-14-23) Discuss land use issue with Department Head. (10-12-23.) Communicate with potential vendor on project. (10-13-23.) Communicate with county insurer on project. (10-13-23.) Contract law issue. (11-6-23.) *Work on bid packet issue. (1-2-24) Contacted by KDHE requesting permission for project. Relay request to Public Works Director and invite conversation. (1-3-24)*

Riley County Register of Deeds: Discuss legislative conference issue with Department Head. (12-6-22; 12-7-22) Advise on legal issue. (2-12-23) Communicate with Department head on deed issue. (3-17-23) Discuss with Deputy Counselor correction deed prepared for filing. (3-28-23) Communicate with three offices, their staff and department heads on common legal issue. (11-7-23) Communicate with department head on same issue. (11-8-23)

Riley County Treasurer: Discuss with Department Head process for Opioid Settlement Fund payments routed from Attorney General's Office. Discuss with Assistant Attorney General supervising such distributions. (12-21-22)

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III. Projects by Professional Association, Internal and External Committees/working groups, CLE, & Other Administrative Matters:

Ad Hoc Staff Committees/Work Groups on Multiple Subjects: Staff committee discussion of issue in recent tax sale. Clerk and staff, Treasurer, Appraiser and staff. (3-6-23)

Administrative Matters: Discuss with HR CAR I'll prepare for transition of Counselor position based upon my scheduled 2025 retirement. (5-19-23) Work on transition of Deputy position given incumbent's scheduled retirement. (5-22-23;5-23-23) Discuss and decide with staff on renewal of "Hawver" subscription. (5-30-23) Register for June 20 webinar on Title VI requirements under ARPA; to be conducted by Officer of Recovery. (6-5-23) Information to Office Manager on invoice for Westlaw. (7-5-23) Partners' Meeting. (7-21-23) Review and approve proposed CAR drafted by H.R. for upcoming position vacancy due to a retirement. (7-27-23) Work with HR and staff working group preparing for candidate interviews for 2 positions. (7-27-23;7-28-23) Staff meeting to discuss departmental input, as requested by PIO, on survey regarding retention and recruitment and retention. Provide info to PIO. (8-2-23) Review, approve Department timecards.(8-6-23) Work on transition of department for upcoming vacancy in Office Manager position. Review all internal applications. Communicate with both Riley County Deputy County Counselors and H.R. Director. (8-6-23) Work on transition of department to fill vacancy in Legal Assistant position. (8-10-23;8-11-23; 8-13-23)Review City/County/County agenda for 8-17-23 meeting. (8-13-23) Work on upcoming retirement receptions for department. (8-11-23; 8-14-23; 8-15-23;8-16-23;8-17-23) Continued work on transition of department to fill vacancy in Legal Assistant position. (8-15-23) Participate in panel interview of candidate for Legal Assistant I position.9 (8-18-23) Attend retirement reception in BOCC chambers for Jill Seaton. (8-31-23)

Continuing Legal Education: Attend online CLE program. (6-11-23) Attend CCAK CLE program. (6-16-23)

County Counselor Association of Kansas:

Department Head Committee: Attend and participate in committee meeting. (7-5-23) Attend and participate in meeting. (7-19-23) Attend and participate in committee meeting. (8-2-23) Attend and participate in Committee Meeting. (10-18-23) Attend and participate in committee meeting. (11-1-23.) Prepare for meeting scheduled for 1-3-24 (1-2-24) Attend and participate in Committee meeting. (1-3-24)

Intergovernmental Luncheon:

Joint Task Force on Possible Fair and Rodeo Relocation: Attend 2nd meeting of group at Chamber offices. (7-14-23) Attend first ½ hour of task force meeting at KSU foundation. (8-16-23)

Kansas Association of Counties:

Staff Budget and Planning Committee: Work with B & P on development of contracts for transfers to small cities for loss of funds as countywide ½ cent sales tax sunsets 12/31/22. (11-15-22) Review material for BOCC presentation to be made by Budget and Planning during the next BOCC public meeting. (11-28-22) Attend and participate in Committee meeting. (11-29-22) Ask Shilo for her opinion on draft of agreement. (2-7-23) ***Prepare for scheduled 1-3-24 committee meeting. (1-2-24)*** *Attend and participate in Committee meeting. (1-3-24)*

Staff Riley County Employee Recognition Day Planning Committee: Attend and participate in committee work planning Employee Recognition Day. (6-20-23) Analyze proposed venue contract. Conversation with County's insurer. Voicemail left with PIO. (7-5-23) Attend and participate in Committee meeting (7-18-23)

Attachment: FINAL_Commission List 01.22.2024 (14433 : Clancy's Commission List)

Communicate with sales representative for AMC Theatre. (8-2-23; 8-3-23) Communicate with AMC representative and our insurer regarding event. (8-13-23) Attend and participate in committee meeting. (8-15-23) Communicate with our insurer and attorney for venue regarding Recognition Day. (8-15-23) Communicate with attorney for venue regarding Recognition Day. (8-16-23; 8-17-23) Attend and participate in Employee Day. (10-9-23.) Work on future Employee Recognition Day issue. (10-18-23) *Contact insurer to evaluate coverage for potential site for 2024 Employee Recognition Day. (1-2-24)*

Staff Road Renaming Committee:

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COUNTY COUNSELOR/ADMINISTRATIVE SERVICES
Fence View Hearing

Clancy Holeman
Counselor/Director of Administrative Services
115 North 4th Street
Manhattan, KS 66502
Phone: 785-565-6844

COMMISSION AGENDA REPORT

FROM: **Clancy Holeman, County Counselor**

MEETING: **January 22, 2024**

SUBJECT: **Roger and Penny Nelson Fence View Application**

PRESENTER: **Clancy Holeman, County Counselor**

BACKGROUND

You conducted an on-site fence view in this matter several months ago. Counsel for BS Land LLC offered to work with both landowners to see if an agreed division of maintenance and cost responsibility could be reached. This Board accepted that offer and did not resolve the issue on site.

DISCUSSION

The Nelson Proposal

The entire length of the partition fence separating two parcels of these two landowner parties begins at the northeast corner of the Nelson parcel, then runs west for approximately ¼ mile (1,288.95 feet as measured by GIS), ending at the northwest corner of the Nelson parcel. (See Attachment A) Less than the entire length of this partition fence is the primary issue in this fence view.

The southern portion of a pond is divided by the above partition fence and lies on the Nelson parcel. (See Attachment A) The northern portion of that same pond lies on the BS Land LLC parcel. (See Attachment A) Difficulties in maintaining the segments of the above partition fence running into the east side of the pond, through it, and out of its west side for a remaining approximate 40-50 feet to a corner post at the northwest corner of the Nelson parcel is the primary issue between these north and south parcel owners . An additional fact about this segment of the partition fence within the pond then running another approximate 40-50 feet to a

corner post is this: Most of the dam creating the pond lies on the BS Land LLC parcel. (See Attachment A) But a portion of that dam is located on the Nelson parcel. (See Attachment A) Counsel for BS Land LLC drafted and presented to the Nelsons a proposed agreement for their signature. (See Attachment B) But the Nelsons are not willing to sign it. They believe it is unworkable. They say the terrain along the west boundary of their south parcel is too soft and overgrown to allow them routine access to maintain the west half of the partition fence in the pond and the approximately 40-50 remaining feet of the partition fence which continues out of the pond to an existing corner post at the northwest corner of their south parcel. (See Attachment A)

Instead, the Nelsons believe BS Land LLC has far better access to the west ½ of the partition fence in the pond and its remaining 40-50 feet leading to that above corner post at the northwest corner of the Nelson South parcel. The Nelsons believe such easier access is provided only to BS Land LLC by an existing pasture trail on the north parcel (See Attachment A) The Nelsons suggest that pasture trail provides BS Land LLC access from the north parcel to the pond, then along the pond's north side of the pond, then generally west and southwest along the pond, to the west ½ of the fence and that remaining 40-50 feet to the corner post. So according to the Nelsons, that pasture trail allows BS Land LLC better routine access than the Nelsons have to the west ½ of the partition fence within the pond and the approximately 40-50 remaining feet of the partition fence continuing out of the pond and to the northwest corner of the Nelson south parcel. (See Attachment A)

Given the above facts, the Nelsons propose the BOCC enter an order on the following terms assigning BS Land LLC **sole maintenance and cost responsibility** for the **west ½** of that portion of the partition fence in the pond and the approximately 40-50 remaining feet of fence running to the existing corner post in the northwest corner of the south parcel. (See Attachment A) That **west ½** of the fence in the pond assigned BS Land LLC should run east beginning from the existing corner post at the northwest corner of the south parcel and extend east toward the mid-point of the pond. (See Attachment A.) That portion of the BS Land LLC assigned share must extend into the pond sufficiently far that it turns back stock to the south parcel. If that portion of the BS Land LLC assigned share no longer turns back stock to the south parcel, BS Land LLC shall have sole responsibility to maintain and for the cost to repair its assigned share, and when necessary, to extend the length of its assigned share up to the midpoint of the pond, so that its assigned segment again turns stock back to the south parcel. The Nelsons should be assigned **sole maintenance and cost responsibility** for the **east ½** of that portion of the partition fence in the pond. (See Attachment A) That **east ½** of the fence in the pond assigned the Nelsons should run west beginning from the top of the pond dam and continue toward the mid-point of the pond. (See Attachment A) That portion of the Nelson assigned share must extend into the pond sufficiently far that it turns back stock to the south parcel. If that portion of the Nelson assigned share no longer turns back stock to the south parcel, the Nelsons shall have sole responsibility to maintain and for the cost to repair their assigned share, and when necessary, to extend the length of their assigned share up to the midpoint of the pond, so that their assigned segment again turns stock back to the south parcel.

The Nelsons also ask that BS Land LLC be assigned **sole maintenance and cost responsibility** for the approximately 300-foot length of partition fence running west to the top of the dam from a corner post in a draw just east of the pond. (See Attachment A)

The Nelsons believe their above proposal is fair. That's because their proposal gives them not only sole responsibility for the east ½ half of the partition fence within the pond to the top of the dam. (See Attachment A) They also are proposing to accept sole maintenance and cost responsibility for the length of the partition fence running east from the corner post in the draw on their south parcel all the way to the corner post at the northeast corner of their south parcel. (See Attachment A)

The BS Land LLC Proposal

See Attachment B and listen to any proposal presented today by or on behalf of BS Land LLC.

FISCAL IMPACT

There is minimal fiscal impact to Riley County in this matter. Primarily there are soft costs associated with both the BOCC and county counselor's time and expense working on this matter.

RECOMMENDATION(S)

Commissioners, your authority in this matter is governed by the entire statutory scheme related to fence views. That includes but is not limited to the following statutes: K.S.A. 29-301 (Attachment A-1); K.S.A. 29-302 (Attachment-2); K.S.A. 29-303 (Attachment A-3); K.S.A. 29-304 (Attachment A-4); K.S.A. 29-305 (Attachment A-5).

You have no obligation to approve the proposal of the Nelsons or the proposal of BS Land LLC. Instead, you have an obligation to reach a decision in this dispute which is both fair and conforms to your statutory authority.

In my opinion, you could lawfully approve the above proposal of the Nelsons. If you do so, your decision may lawfully be based, in part, upon the access issue to west half of the pond, as described by the Nelsons. Your decision would have nothing to do with some flawed use of a "right hand" rule in fence views. In my opinion, you could lawfully accept the Nelson proposed division by also taking into account the relative amounts of total partition fence length you decide to assign each party.

In my opinion, you have authority to approve a different division and cost proposal from BS Land LLC, based upon that landowner's more convincing argument about access to the west half of the pond. In my opinion, you do not have authority to order the parties to sign the agreement previously proposed by BS Land LLC. That is outside your authority within the fence view statutes.

In my opinion, you have authority to make division of the partition fence at issue entirely different in part or in whole from what both parcel owners propose to you in this matter today.

POSSIBLE MOTION(S)

A. "I move the Board direct the county counselor to return at a later public meeting of this Board with a Fence View Order for signature by this Board which assigns maintenance and

cost of this partition fence consistent with the proposal presented today by Roger and Penny Nelson."

B. "I move the Board direct the county counselor to return at a later public meeting of this Board with a Fence View Order for signature by this Board which assigns maintenance and cost of this partition fence consistent with the proposal presented today by BS Land LLC."

C. "I move the Board direct the county counselor to return at a later public meeting of this Board with a Fence View Order for signature by this Board which assigns maintenance and cost of this partition fence as follows… ."

Enclosures:

- Attachment A (PDF)
- Attachment A-1 (PDF)
- Attachment A-2 (PDF)
- Attachment A-3 (PDF)
- Attachment A-4 (PDF)
- Attachment A-5 (PDF)
- Attachment B (PDF)


BS LAND LLC
Pasture Trail
Proposed BS Land LLC
Assignments
(about 100 yards)
1,288.95 ft
Mid-Point of Pond
Top of Dam
Corner Post in Draw
Proposed Nelson Assignment
NELSON,ROGER
L & PENNY L

2023 Kansas Statutes

29-301. Maintenance. The owners of adjoining lands shall keep up and maintain in good repair all partition fences between them in equal shares, so long as both parties continue to occupy or improve such lands, unless otherwise agreed.
History: G.S. 1868, ch. 40, § 8; October 31; R.S. 1923, 29-301.

Attachment: Attachment A-1 (14437 : Roger & Penny Nelson Fence View)

Attachment A-1

2023 Kansas Statutes

29-302. Neglect to repair or rebuild. If any party neglect to repair or rebuild a partition fence, or the portion thereof which he ought to maintain, the aggrieved party may complain to the fence viewers, who, after due notice to each party, shall examine the same, and if they determine that the fence is insufficient, shall signify it, in writing, to the delinquent occupant of the land, and direct him to repair or rebuild the same within such time as they may judge reasonable.

History: G.S. 1868, ch. 40, § 9; October 31; R.S. 1923, 29-302.

Attachment: Attachment A-2 (14437 : Roger & Penny Nelson Fence View)

2023 Kansas Statutes

29-303. Complainant may repair or rebuild, when; recovery; attorney's fee. If such fence be not repaired or rebuilt accordingly, the complainant may repair or rebuild it, and the same being adjudged sufficient by the fence viewers, and the value thereof, with their fees, being ascertained by them and certified under their hands, the complainant may demand of the owner of the land where the fence was deficient, the sum so ascertained; and in case of neglect to pay the same for one month after written demand, may recover it, with interest at the rate of one percent per month, by action in any court of competent jurisdiction. In any such action the court shall allow the prevailing party a reasonable sum for attorney's fee.

History: G.S. 1868, ch. 40, § 10; R.S. 1923, 29-303; L. 1949, ch. 270, § 3; July 1.

Attachment: Attachment A-3 (14437 : Roger & Penny Nelson Fence View)

2023 Kansas Statutes

29-304. Controversies; settlement by fence viewers. When any controversy shall arise about the rights of the respective owners in partition fences, or their obligations to keep up and maintain the same in good repair, and if they cannot agree among themselves, either party may apply to the fence viewers of the township in which such fence may be situated, who, after a reasonable notice to the other party, shall proceed, on application as aforesaid, to view such fence, and assign to each party, in writing, his equal share or part of such partition fence, to be by him kept up and maintained in good repair; which assignment shall be recorded by the register of deeds of the county in a book to be provided for that purpose, and shall be final, conclusive and binding upon the parties, and upon all the succeeding occupants of the lands, and they shall be obliged thereafter to maintain their respective portions of said fence.

History: G.S. 1868, ch. 40, § 11; October 31; R.S. 1923, 29-304.

Attachment: Attachment A-4 (14437 : Roger & Penny Nelson Fence View)

2023 Kansas Statutes

29-305. Failure to erect or maintain assigned part; recovery of cost and attorney's fee. If a party neglect or refuse to erect or maintain the part of the fence assigned him by the fence viewers, it may be erected and maintained by the aggrieved party in the manner before provided, and he shall be entitled to recover the ascertained cost thereof, with interest at the rate of one percent per month and a reasonable attorney's fee to be fixed and allowed by the court, by action in any court of competent jurisdiction; and the amount recovered, with costs, shall be a lien against the land chargeable with the same.

History: G.S. 1868, ch. 40, § 12; L. 1901, ch. 218, § 1; R.S. 1923, 29-305; L. 1949, ch. 270, § 4; July 1.

Attachment: Attachment A-5 (14437 : Roger & Penny Nelson Fence View)

AGREEMENT REGARDING FENCE REPAIRS

This Agreement Regarding Fence Repairs ("**Agreement**") is entered into by BS LAND LLC, an Alaska limited liability company ("**BS Land**") and Roger L. Nelson and Penny L. Nelson (collectively, the "**Nelsons**") to be effective as of the __ day of _____, 2023 (the "**Effective Date**").

WITNESSETH:

WHEREAS, BS Land is the owner of certain real property commonly known as the Northwest Quarter of Section 4, Township 6, Range 7 East of the Sixth Principal Meridian, Riley County, Kansas (the "**BS Tract**");

WHEREAS, the Nelsons are the owners of certain real property commonly known as the East Half of the Southwest Quarter of Section 4, Township 6, Range 7 East of the Sixth Principal Meridian, Riley County, Kansas (the "**Nelson Tract**");

WHEREAS, the Nelsons graze cattle on the Nelson Tract;

WHEREAS, there is a border fence that separates the Nelson Tract from the BS Tract (the "**Border Fence**") along the southern border of the BS Tract and the northern border of the Nelson Tract that has come into disrepair;

WHEREAS, the parties desire to enter this agreement to resolve repair obligations with regard to the border fence;

NOW, THEREFORE, in consideration of the mutual benefits and obligations herein exchanged by BS Land and the Nelsons, and for other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, BS Land and the Nelsons hereby agree as follows:

1. Recitals. The recitals set forth at the beginning of this Agreement are hereby incorporated into its terms and provisions by this refence.

2. Cost Sharing. BS Land and the Nelsons agree to equally share in the cost to repair the Border Fence, including any present defects and future defects to the Border Fence, for as long as they, or an affiliate company or a trust created by them, are owners of the BS Tract and the Nelson Tract, respectively.

3. Process. Upon notice that any portion of the Border Fence is in disrepair, the Nelsons and BS Land or its representative agree to notify the other party so that both parties may inspect the Border Fence to determine the scope of repairs needed. The inspection, repair, and related actions are collectively referred to herein as the "**Work**." In any event, the minimum level of Work needed shall include the erection and maintenance of a fence capable of containing cattle on the Nelson Tract. The Nelsons and BS Land agree to contract with a mutually agreeable third-party contractor to perform the Work who will provide an invoice to each BS Land and the Nelsons for fifty percent (50%) of the total cost of same (the "**Owner's Share**"). In the event BS Land and the Nelsons cannot agree to a third-party contractor to do the Work, then one of the parties shall notify the other party in writing by certified mail that an agreement as to a contractor cannot be reached (the "**Written Notification of Disagreement**"). Upon receipt of the Written Notification of Disagreement, each party shall have 30 days to select a contractor of their choice who shall provide a bid to both parties for similar quality services to perform the Work. The contractor that provides the lower bid shall be considered acceptable under this Agreement.

4. Method of Payment. BS Land and the Nelsons shall each be responsible for paying their respective Owner's Share of the costs for the border fence to this third-party contractor.

Attachment: Attachment B (14437 : Roger & Penny Nelson Fence View)

5. No Third-Party Rights or Remedies. This Agreement is made for the exclusive benefit of BS Land and the Nelsons and not for any third parties; nothing in this Agreement, express or implied, is intended to or may be construed to confer any benefit upon any person or entity, other than BS Land and the Nelsons.

6. Dispute Resolution. In the event of a conflict related to the terms or requirements of this Agreement, BS Land and the Nelsons agree to consult and negotiate with each other in good faith, and recognizing their mutual interests, attempt to reach a just and equitable solution satisfactory to both parties prior to seeking legal recourse.

7. Notice. The addresses for notice for the respective parties pursuant to this Agreement shall be as stated below each respective party's signature.

8. Binding Nature of Agreement. This Agreement shall be deemed binding on BS Land and the Nelsons for as long as they, or an affiliate company or a trust created by them, are owners of the BS Tract and the Nelson Tract, respectively.

"BS LAND"

BS LAND LLC, an Alaska limited liability company,

By: _____
Shane Rhoton, Member

By: _____
Brian Rhoton, Member

Address: 3487 Airport Way, Fairbanks, AK 99709

THE "NELSONS"

_____
Roger L. Nelson

_____
Penny L. Nelson

Address: 7271 Toburen Road, Randolph, KS 66411

Attachment: Attachment B (14437 : Roger & Penny Nelson Fence View)

EMS/AMBULANCE
Staff Update

David Adams
EMS/Ambulance
Director
2011 Claflin Rd
Manhattan, KS 66502
Phone: 785-539-3535

STAFF REPORT

FROM: **David Adams, EMS/Ambulance Director**

MEETING: **January 22, 2024**

SUBJECT: **EMS/Ambulance Staff Update**

PRESENTER: **David Adams, EMS/Ambulance Director**

Operations

Calls for service.

December- 412

911-Call volume by station:

Medic 11 located at 2011 Claflin Rd: 117

Medic 21 located at 11th & Poyntz: 113

Medic 31 located at 3060 TCB (Riley County Public Works): 72

Medic 41 located at Manhattan Regional Airport: 76

Medic 51- Leonardville: 25

The rest of the calls (if applicable) are for event standbys and supervisors writing reports.

Working on new building construction related topics. Building committee met on Wednesday the 17th and we are getting closer to bringing to you a final budget.

Neighborhood public meeting for the Public Improvement District is set for January 22nd, in the Family and Child Resource Center at 6:30 pm.

Participate in Mental Health Working Group (Josh) and Task Force (David)

Participate in Substance Abuse Working Group (Josh) and Task Force (David)

We have received the first of the two new ambulances. Currently having radios installed and will then have equipment placed and inspection from Public Works.

Participating in the Personnel Policy Manual work group.

Hands only CPR/Stop the bleed training for county staff.

System migration to the new report writing software.

AD Gering and Lt. Spillman attended a leadership conference in Hutchinson.

Event Standbys: 12

Education

100% review of all calls.

Review of data metrics to identify trends.

Training calendar

Equipment updates and training.

Community Outreach:

Car seat check lanes.

Enclosures:

- EOM Reports - BOCC (XLSX)

EMS RESPONSES BY DAY OF THE WEEK		
Weekday	**Count**	**Percent**
01 - Sunday	46	11%
02 - Monday	64	16%
03 - Tuesday	52	13%
04 - Wednesday	67	16%
05 - Thursday	45	11%
06 - Friday	77	19%
07 - Saturday	61	15%
TOTAL	**412**	

EMS RESPONSES BY HOUR OF DAY		
Hour Range	**Count**	**Percent**
00:00:00 - 00:59:59	17	4%
01:00:00 - 01:59:59	13	3%
02:00:00 - 02:59:59	13	3%
03:00:00 - 03:59:59	6	1%
04:00:00 - 04:59:59	7	2%
05:00:00 - 05:59:59	7	2%
06:00:00 - 06:59:59	16	4%
07:00:00 - 07:59:59	11	3%
08:00:00 - 08:59:59	23	6%
09:00:00 - 09:59:59	29	7%
10:00:00 - 10:59:59	25	6%
11:00:00 - 11:59:59	22	5%
12:00:00 - 12:59:59	27	7%
13:00:00 - 13:59:59	16	4%
14:00:00 - 14:59:59	17	4%
15:00:00 - 15:59:59	21	5%
16:00:00 - 16:59:59	20	5%
17:00:00 - 17:59:59	20	5%
18:00:00 - 18:59:59	12	3%
19:00:00 - 19:59:59	20	5%
20:00:00 - 20:59:59	20	5%
21:00:00 - 21:59:59	25	6%
22:00:00 - 22:59:59	13	3%
23:00:00 - 23:59:59	12	3%

EMS RESPONSES BY UNIT CALL SIGN		
CALL SIGN	**COUNT**	**PERCENT**
Medic 11	117	26%
Medic 21	113	25%
Medic 31	72	16%
Medic 41	76	17%
Medic 51	25	5%

Attachment: EOM Reports - BOCC (14435 : Staff Update)

TOP 5 EMS RESPONSES BY DISPATCH REASON		
Complaint	**Count**	**Percent**
Sick Person	56	14%
Falls	52	13%
Transfer	49	12%
Other	29	7%
Unconcious/Faint	29	7%

Attachment: EOM Reports - BOCC (14435 : Staff Update)

KANSAS STATE UNIVERSITY

Intergovernmental Luncheon

Monday, January 22, 2024
12:00-1:00 p.m.
Bluemont Room, K-State Student Union
918 North Martin Luther King Jr. Drive
Manhattan, KS 66506

Agenda

1. Gather and luncheon (11:30 a.m.-12:00 p.m.)
2. Convene and Introductions
3. Agenda Topic(s)
    a. Update on CrossroadsMHK, City of Manhattan's strategic plan
        i. Jared Wasinger, Assistant City Manager, City of Manhattan
4. Miscellaneous Discussion Items and Announcements
5. Discussion about Potential Agenda Topics for Next Meeting
6. Next Meeting Date: **Monday, February 26, 2024**
7. Adjournment

IGL January Parking Garage Code: **PGTGOVL12224**

For those who have RSVP'd for lunch, food will be served starting at 11:30AM.
Payments can be collected on site by Union Station by JPs by cash, check, or credit card. If individuals need to be invoiced, address of entity to be billed is required with contact information.

Attachment: 2024 Intergovernmental Luncheon Agenda 1.22.24 (14039 : Intergovernmental Luncheon Agenda)