

PHELPS COUNTY COMMISSION RECORD
August 2, 2022 Tenth day of the July Term

Now at this the 2nd day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

Commissioner Auxier was absent.

IN THE MATTER OF
SURPLUS TAX:

The clerk asked for guidance about the disbursement of surplus tax to the survivors of one Charles Wilkinson. Local resident Ray Schweikhardt and the Focus reporter were present. Phelps County Sheriff's Department Lt. Joe Taylor entered at 0915.

IN THE MATTER OF
JAIL EXPANSION:

Commissioner Hicks reported to Taylor that Ernie Kost of First State Community Bank and Mark Grimm will be meeting with the Commission on August 9 to finalize the terms of the agreement regarding the loan for the expansion.

IN THE MATTER OF
HOSPITAL TRANSPARENCY:

The clerk said a local reporter requested the Commission to encourage the hospital to be transparent with finance reports.

IN THE MATTER OF
COUNTY BURN BANS:

This topic was again discussed in light of the county falling into the US Drought Monitor's D-2 category, severe drought.

IN THE MATTER OF
CITIZEN INPUT (RANDY FURSE):

Randy Furse entered to report that on Road 8240 there is a very large pothole approximately 36" across. He also asked if the low water crossing on Road 7460 could ever be improved.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commissioners reviewed and approved payment of \$18,872.88 for 10 contract pay invoices.

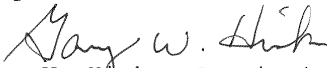
READ AND APPROVED:



Randy Verkamp, Presiding Commissioner

(Absent)

Joey Auxier, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 4, 2022 Eleventh day of the July Term

Now at this the 4th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

Commissioner Auxier was absent.

IN THE MATTER OF
ELECTION RESULTS:

Focus reporter R.D. Hohenfeldt was present. The clerk gave a report that the random electronic and manual recounts of not less than 5% of precincts (being one randomly drawn precinct each) by the bipartisan judge team had matched the in-precinct results in both cases. Election results will be certified on Friday, August 5.

IN THE MATTER OF
CITIZEN INPUT (TERRY ROSS):

Terry Ross entered at 0920 to ask about being buried on his own property. A discussion ensued about the statutory provisions for this, and Ross left at 0940.

IN THE MATTER OF
PCESB AUGUST TREASURER'S REPORT:

The Commission received and reviewed the August 2022 Treasurer's Report from the Phelps County Emergency Services Board (PCESB). The revenue for the PCESB is chiefly a county-wide 0.25% sales tax. A small additional tax for 911 is received quarterly. The balance as of the July 31, 2022 was \$2,345,037.80.

IN THE MATTER OF
LP GAS, BID OPENING:

LP Bids were opened as scheduled at 1000 and for the estimated 37,000 gallons needed county-wide, they were:

MFA Oil, Columbia	\$1.999/gal
Poe's Rural & City Gas, Rolla	\$1.979/gal
Peterson Oil, Sullivan	\$1.93/gal

The bids were taken under advisement as moved by Commissioner Hicks and seconded by Presiding Commissioner Verkamp. The reporter left at 1015.

IN THE MATTER OF
MRPC GRANT WRITING HOURS:

Treasurer Carol Green entered at 1045 to discuss grant-writing hours with MRPC retained by the County, which can be donated to other entities.

IN THE MATTER OF
EMPLOYEE HEALTH INSURANCE:

PHELPS COUNTY COMMISSION RECORD
August 4, 2022 Eleventh day of the July Term

EMPLOYEE HEALTH INSURANCE, Continued:

Deputy Clerk Cindy Ruth entered briefly at 1125 to ask the Commissioners about the potential of rebidding the employee health insurance.

IN THE MATTER OF
ROADS:

Michelle Bock of the Road and Bridge Department entered to discuss ongoing work.


IN THE MATTER OF
COUNTY CLERK TURNOVER:

Pursuant to RSMo 50.370, the clerk presented July turnover of passport acceptance fees from her office in the amount of \$1,330.00 (representing 38 passports) and county clerk fees of \$2,784.95, mostly for county liquor licenses.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed payment of 61 and 47 invoices in the amounts of \$121,043.23 and \$93,999.25, respectively.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner

Joey Auxier, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 9, 2022 Twelfth day of the July Term

Now at this the 9th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Gary W. Hicks, Commissioner District 2
Joey Auxier, Commissioner District 1
Pamela K. Grow, Phelps County Clerk

IN THE MATTER OF
JAIL EXPANSION FINANCING:

Mark Grimm of Gilmore & Bell and Ernie Kost of First State Community Bank, Rolla, were present as was the Focus reporter. Sheriff Mike Kirn and PCSD Lt. Joe Taylor arrived at 0910. Grimm discussed the generalities of lease-purchase transactions. In this case the county will lease the underlying real estate to FSCB, which then leases the real estate and its improvements back to the county. Grimm continued to say that in Missouri, cities and counties cannot mortgage their property. This agreement spans 10 years, with 6.6 million in tax exempt debt at 4% and 2.4 million at a 5% interest rate, taxable. Presiding Commissioner Verkamp asked how this affected the ability to keep federal prisoners. Since the federal prisoners are treated as "private use", IRS rules limit the number of prisoners for the purpose of tax-exempt financing. Treasurer Carol Green entered at 0917. Commissioner Hicks asked about annual reporting and audits; Grimm said that they have 700-800 bond issues annually as a firm and of those they have 3-4 audits. Sheriff Kirn said the target for their federal prisoner census was 150. Kost emphasized the benefits of working with one bank, that is, one investor. An initial draw of \$68,000 is required to lock-in the rates. Sheriff Kirn said that the US Marshall's service in Springfield would "use all the capacity" as soon as available; this is felt an indication of the need for more capacity. There will be 105 beds for state inmates, 85 more than current. Grimm added that liens aren't permitted on county projects, but that payment performance bonds would be and the bank and county will both be named beneficiaries. Local resident Chester Kojro entered at 0930. Turning to documents, Grimm also referred to Exhibit E, the Tax-Exempt Financing Compliance Policy and Procedure (required by IRS since about 2012 on similar projects). Commissioner Hicks moved and Commissioner Auxier seconded the approval of the following order:

ORDER NO. 2022-8-9-1

AN ORDER AUTHORIZING PHELPS COUNTY, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION TO FINANCE CERTAIN CAPITAL IMPROVEMENTS; AND AUTHORIZING THE EXECUTION OF CERTAIN DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH.

WHEREAS, Phelps County, Missouri (the "County"), finds and determines that it is advantageous and in the best interests of the County to enter into certain transactions with First State Community Bank (the "Bank") to provide funds, together with other legally available funds of the County, to (1) construct, expand, renovate, remodel, furnish and equip the County's law enforcement center (the "Project") and (2) pay certain costs in connection with the execution and delivery of the documents approved herein; and

WHEREAS, the County owns certain real property and the improvements now or hereafter located thereon, including the real property upon which the law enforcement center is situated (the "Real Property"); and

PHELPS COUNTY COMMISSION RECORD
August 9, 2022 Twelfth day of the July Term

JAIL EXPANSION FINANCING, Continued:

WHEREAS, as part of the Project, the County will acquire and install certain personal property (the "**Personal Property**"); and

WHEREAS, in order to facilitate the foregoing and to pay the cost thereof, it is necessary and desirable for the County to take the following actions:

1. Enter into a Base Lease (the "**Base Lease**"), in substantially the form of **Exhibit A**, with the Bank, pursuant to which the County will lease the Real Property to the Bank;
2. Enter into a Lease Purchase Agreement (the "**Lease**"), in substantially the form of **Exhibit B**, with the Bank, pursuant to which the County will lease the Real Property and the Personal Property from the Bank with an option to purchase the Bank's interest therein;
3. Execute a Federal Tax Certificate (the "**Tax Certificate**"), in substantially the form of **Exhibit C**, which will set forth certain representations, facts, expectations, terms and conditions relating to the use and investment of the proceeds of the Tax-Exempt Portion (as defined in the Lease) of the Lease and of certain other related money, in order to establish and maintain the exclusion from gross income for federal income tax purposes of the Interest Portion (as defined in the Lease) of the Rental Payments (as defined in the Lease) attributable to the Tax-Exempt Portion of the Lease to be paid by the County, and to provide guidance for complying with the arbitrage rebate provisions of § 148(f) of the Internal Revenue Code of 1986, as amended;
4. Enter into an Account Control Agreement (the "**Account Control Agreement**"), in substantially the form of **Exhibit D**, with the Bank and First State Community Bank, as deposit bank, pursuant to which proceeds of the Lease will be deposited in a project account and disbursed to pay costs of the Project;
5. Approve a Tax-Exempt Financing Compliance Policy and Procedure (the "**Compliance Procedure**"), in substantially the form of **Exhibit E**, to promote compliance with the federal tax laws related to the Tax-Exempt Portion of the Lease and any other tax-exempt obligations currently outstanding or issued in the future; and
6. Approve a Tax Compliance Services Proposal (the "**Tax Compliance Proposal**"), in substantially the form of **Exhibit F**, under which the County will engage Gilmore & Bell, P.C. to assist the County in complying with the federal tax laws related to the Tax-Exempt Portion of the Lease.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSION OF PHELPS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Approval of the County Documents. The Base Lease, the Lease, the Tax Certificate, the Account Control Agreement and the Tax Compliance Proposal (collectively, the "**County Documents**") are hereby approved in substantially the forms submitted to and reviewed by the County Commission on the date hereof, with such changes therein as are approved by the Presiding Commissioner. The Presiding Commissioner's execution of the County Documents will be conclusive evidence of such approval. The Presiding Commissioner is hereby authorized and directed to execute and deliver the County Documents and to approve changes to the County Documents on behalf of and as the act and deed of the County. The County Clerk is hereby authorized to affix the County's seal to the County Documents and to attest said seal.

Section 2. Approval of Compliance Procedure. The County hereby adopts the Compliance Procedure.

Section 3. Further Authority. The County will, and the officials and agents of the County are hereby authorized and directed to, take such actions, expend such funds and execute such other documents, certificates and instruments as may be necessary or desirable to carry out and comply

PHELPS COUNTY COMMISSION RECORD
August 9, 2022 Twelfth day of the July Term

JAIL EXPANSION FINANCING, Continued:

with the intent of this Order and to carry out, comply with and perform the duties of the County with respect to the County Documents and the other documents authorized or approved hereby. Without limiting the generality of the foregoing, the County Commission specifically authorizes and directs the prompt payment of all closing costs relating to the County Documents.

Section 4. Severability. The sections of this Order shall be severable. If any section of this Order is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the County Commission has or would have enacted the valid sections without the void one, and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent. The invalid provision shall be omitted, and this Order shall be amended to the extent possible to conform to the original intent of the County.

Section 5. Governing Law. This Order shall be governed exclusively by and construed in accordance with the applicable laws of the State of Missouri.

Section 6. Effective Date. This Order shall be in full force and effect from and after its passage by the County Commission.

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PASSED and APPROVED this 9th day of August,

Randy Verkamp, Presiding Commissioner

Joey Auxier, Commissioner District 1

Gary W. Hicks, Commissioner District 2

[SEAL
]

ATTEST:

Pamela K. Grow, County Clerk

Grimm briefly discussed with the Sheriff the personal property that would be installed and asked about property and casualty insurance; Kirn left at 0940. Numerous other documents including amortization documents, account control, initial payment request forms covering title insurance and Gilmore and Bells \$4,000 fee were executed by Presiding Commissioner Verkamp. Carol Green signed as bond compliance officer. Numerous documents were executed. Grimm and Kost, followed by Taylor, left at 0955.

IN THE MATTER OF
SALES TAX REVENUE:

Green presented the sales tax revenues for August which showed an 18.72% increase in the MTM comparison and 10.20% increase in the rolling twelve-month comparison. The clerk said that sales tax was up, in her opinion, because of the inflation of the currency, and thus in the price for goods; she said the State Tax Commission's declaration of a CPI of 7% for the twelve months

PHELPS COUNTY COMMISSION RECORD
August 9, 2022 Twelfth day of the July Term

SALES TAX REVENUE, Continued:

ending 2/1/2022 was surely an underestimate. Collector Faith Barnes entered at 1000; Green left about 1005.

IN THE MATTER OF
GROUP BENEFIT SERVICES:

The Commission reviewed the benefit management report which showed \$722,215.33 in the reserve account for claim payments.

IN THE MATTER OF
CITY OF ROLLA, RECEIPT OF COUNTY ARPA FUNDS:

The city of Rolla applied 1.5 years ago for a grant for a sidewalk along Highway E, which stipulates roughly a \$100,000 match from the county; this was taken under consideration. The sidewalk would extend approximately 3,000 feet from Vista Drive to Danata Street, with roughly 650 feet of this distance falling along the county portion. As moved by Commissioner Hicks and seconded by Commissioner Auxier, \$50,000 in ARPA funds contributed toward this match was approved.

IN THE MATTER OF
LP GAS BIDS, AWARD:

The Commission discussed the award of the bid with Sheriff Kirn. The ability to award a bid to the "lowest and best" bidder was considered, in light of the sometimes urgent need for propane during bitter winter weather when travel is difficult. After lengthy discussion, the bid was awarded to Poe's Rural and City Gas Company, whose bid was \$1.979/gallon as moved by Commissioner Auxier and seconded by Commissioner Hicks.

IN THE MATTER OF
SPEED LIMIT, ROAD 2130:

As moved by Commissioner Auxier, seconded by Commissioner Hicks, a speed limit on this road of 25 mph was approved.

PHELPS COUNTY
COMMISSION ORDER

WHEREAS, the General Assembly of the State of Missouri did, through the enactment of Section 304.010 RSMo., authorize the County Commission of third-class counties to set speed limits on county roads; and

WHEREAS, the Phelps County Commission believes it to be in the best interest of the citizens of the county and the residents residing along County Road 2130 to limit the speed of vehicles traveling along said road to a maximum speed of 25 miles per hour;

NOW, THEREFORE, IT IS THE ORDER OF THE PHELPS COUNTY
COMMISSION

that there is hereby established a maximum speed limit for vehicles traveling upon County Road 2130 of 25 miles per hour; further that a copy of this Order be sent to Chief Engineer of the Missouri Highways & Transportation Department,

PHELPS COUNTY COMMISSION RECORD
August 9, 2022 Twelfth day of the July Term

SPEED LIMIT, ROAD 2130, Continued:

the Superintendent of the State Highway Patrol, and to any township or road district maintaining roads in the county; further, that said road be posted with signs indicating said maximum speed limit and that said signs conform to the standards of the State Department of Highways and Transportation.

Randy Verkamp, Presiding
Commissioner Joey Auxier,
Commissioner District 1
Gary W. Hicks, Commissioner
District 2

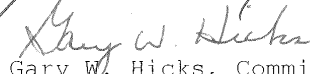
Pamela K. Grow, Phelps County Clerk

The clerk will transmit a copy of the order to the Chief Engineer of MoDOT and the Superintendent of Missouri SHP.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Joey Auxier, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 11, 2022 Thirteenth day of the July Term

Now at this the 11th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Gary W. Hicks, Commissioner District 2
Joey Auxier, Commissioner District 1
Pamela K. Grow, Phelps County Clerk

IN THE MATTER OF
MILLING AND OVERLAYMENT OF
ROADS 2110 AND 8010, BID OPENING:

Local resident Ray Schweikhardt and the Focus reporter were present as was Dave Laramore of NB West. Grant Wilson, the local representative of US Representative Jason Smith's Office. The bids were received from:

COMPANY	ROAD 2110	ROAD 8010	TOTAL
Pierce Asphalt, Rolla	\$537,389.50	\$163,462.10	\$700,851.60
NB West, Pacific	\$497,284.20	\$434,194.50	\$931,478.70

Laramore said that because the bid solicitation did not have quantities, it was "up to the contractor" to measure the road and this hampered the comparisons, and the unit price would be helpful. After discussion, Commissioner Hicks moved and Commissioner Auxier seconded taking the bids under advisement.

IN THE MATTER OF
ROAD 4380:

The Commission discussed the extent of Road 4380 which is county road; there are differing accounts from Road and Bridge employees and some local residents regarding what the County is responsible for. The Assessor's office GIS coordinator, Tim Kean, was contacted and came in to discuss this matter. He had not felt there was enough information on the deed documents provided by Road and Bridge to alter the GIS display.

IN THE MATTER OF
BIDS (SEE ABOVE):

A third bid was received via email to the county clerk's email at 0851 but this was not opened due to the solicitation specifying that the bid was to be received in the clerk's office in a sealed envelope.

IN THE MATTER OF
MRDC:

Commissioner Hicks provided a report on a recent MRDC meeting.

IN THE MATTER OF
CLOSED SESSION:

As moved by Commissioner Hicks and seconded by Commissioner Auxier at 1102, the meeting entered closed session pursuant to

PHELPS COUNTY COMMISSION RECORD
August 11, 2022 Thirteenth day of the July Term

CLOSED SESSION, Continued:

RSMo 610.021 (2) - real estate. Local resident Matt Jadwin was present. No actions having been taken, as moved by Commissioner Hicks and seconded by Commissioner Auxier, the meeting returned to open session at 1110.


IN THE MATTER OF
PAYROLL:

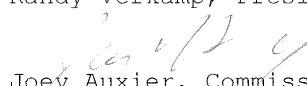
The Commission reviewed and approved payroll in the amount of \$233,550.80 net wages, \$72,766.92 federal and \$10,001.00 state tax withholdings, respectively.

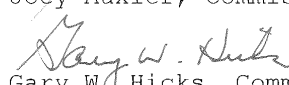
IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 37 and 65 invoices in the amounts of \$202,489.77 and \$111,480.28, respectively. Also approved were 133 petit juror invoices and 47 grand juror invoices in the amounts of \$1,013.15 and \$3,938.81, respectively and 2 Senior Companion invoices for \$23,194.54 (bills and stipends.)

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Joey Auxier, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 16, 2022 Fourteenth day of the July Term

Now at this the 16th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Commissioner District 1
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

In the absence of Presiding Commissioner Verkamp, the clerk appointed Joey Auxier to preside.

IN THE MATTER OF
EQUIPMENT VENDOR:

Dave Burns with Fabick Caterpillar came to introduce himself to the Commission. Coroner Ernie Coverdell; Steve Jackson, general manager and Dave Laramore, project manager of NB West; and local resident Josh Brown were present, as was the Focus reporter.

IN THE MATTER OF
BID, MILLING AND OVERLAYMENT OF
ROADS 2110 AND 8010:

The bids received were discussed. Superintendent of Roads Mark Case and Michelle Bock of the Road and Bridge Department entered at 0915. Commissioner Hicks related the importance of Road 2110 being done in 2022, and 8010 in 2023 at the latest. Jackson said that contractors in the east were buying oil products in the midwest and this put pressure on prices. As moved by Commissioner Hicks and seconded by Commissioner Auxier, the bids were awarded to NB West. An agreement was included to "sell the county material" for site work at the new Road and Bridge facility for \$1.00 a ton and NB West would keep the millings. Case said his crew needed 3-4 weeks' notice before the work started so they could do their part of the preparation on the shoulders.

IN THE MATTER OF
PRESSURE PAVING:

Case provided an update of the pressure paving projects. Collector Faith Barnes entered at 0925.

IN THE MATTER OF
LOW WATER CROSSINGS:

Commissioner Hicks asked for a report on the low water crossings (LWC's) felt in need of work. Case said he would be looking at additional LWC's; he discussed these in some detail. Road 8050 is the worst one and fairly urgently needs to be dealt with. Lt. Joe Taylor of the Sheriff's Department and local resident Ray Schweikhardt entered at 0930. Commissioner Hicks said he was aware of interest from several engineering companies looking for federal grant opportunities to bundle multiple LWC's. Dan Cavender with BPJ Insurance entered at 0945 just as Laramore left. The reporter left at 0950.

IN THE MATTER OF
JAIL EXPANSION:

PHELPS COUNTY COMMISSION RECORD

August 16, 2022 Fourteenth day of the July Term

JAIL EXPANSION, Continued:

Plans to expand the jail and the need for liability coverage, especially builder's risk, were discussed with Cavender. Taylor provided him information on the dimensions of the project, not only with respect to the addition itself (Phase I) but also the kitchen-area repurposing which will be a separate project (Phase II). Cavender said that he was being urged to provide proof of coverage by the financing entity on a more accelerated schedule than he typically encountered, but thought it understandable. Local resident Scott White entered at 0955. Cavender and Taylor left at 1010.

IN THE MATTER OF
ROAD 2300:

In response to Commissioner Auxier's inquiry, White said that he wanted to modify the ditch along Road 2300. White said that the Road 2300 ditch on the east end of his parcel was never built, or had been obliterated somehow, and he faced problems with water running across the eastern point of his property. He has plans including accessing the parcel from the eastern end which may include a paved parking area; there are access points for multiple other landowners, some of which are not maintained by the county, and stormwater runoff toward a lake to the south of several properties including his, which all need to be considered in the work he hopes to do. Commissioner Hicks advised him not to alter the County's roadway and encouraged continued attempts at cooperation with his neighbors. He was further encouraged to contact the Road Department to ask about ditching along 2300, with the understanding that the Road Department is in the middle of roadwork season and may have significant scheduling concerns. After verbalizing understanding, White left at 1050.

IN THE MATTER OF
CORONER'S STORAGE:

Coverdell wanted input from the Commission regarding the storage of his records. He has numerous files of documents. The clerk expressed the hope that these files, many of which are lifetime retention or permanent records, could be stored in the Courthouse. Building and grounds input will be sought; Coverdell then left.

IN THE MATTER OF
ROAD 4270:

Local resident Mary Lou Long entered at 1110 to speak, again, with the Commission about her road, which she and a few other residents had visited with the Commission about in the spring. She brought some documents with her and she said, "We are taxpayers on that road, and we are not going to pay for paving it ourselves because that is your responsibility. It has been chipped and sealed twice, the first time poorly, perhaps by someone that the county contracted with...nothing has been done on this road for five years." Long said that her road was maintained up to her mailbox; it was her understanding that the Post Office would not deliver along a road unless it was public.

PHELPS COUNTY COMMISSION RECORD
August 16, 2022 Fourteenth day of the July Term

ROAD 4270, Continued:

Commissioner Hicks said this was not true; postal deliveries occurred along private drives also. She said, "We pay taxes for the roads. This is what the taxes are for." Commissioner Auxier said, "My mother doesn't want to pay for paving your road." Commissioner Hicks also said that irrespective of previous administrations, the County did not plan to maintain private roads or driveways; however, the County's portion of Road 4270, being some 2.1 thousand feet, was to be overlain with asphalt this season. This road crosses into Dent County and is very distant for maintenance crews to travel, which argues for a more lasting surface treatment. Long was supplied with a copy of the schedule showing this; she urged the Commission to be in contact with the Dent County Commission about paving the portion of the road in that county; Commissioner Hicks said Dent County is in difficult financial straits and might not be able to do this. She requested that the Commission reach out to their Dent County counterparts one more time, and then left at 1135.

IN THE MATTER OF
COURTHOUSE PARKING LOT:

Mike Barnett with the Building and Grounds Department entered at 1137 to confer with the Commission regarding ADA-accessible and ADA van-accessible parking spaces and marking them, since the surface had been sealed. Commissioner Auxier briefly left to look at the spaces outside.

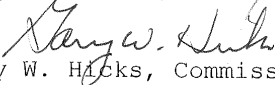
READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Joey Auxier, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 18, 2022 Fifteenth day of the July Term

Now at this the 18th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Commissioner District 1
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

In the absence of Presiding Commissioner Verkamp, the clerk appointed Commissioner Hicks to preside.

IN THE MATTER OF
ADDITIONAL COURTHOUSE PARKING LOT WORK:

A proposal to install a handicapped ramp on the north side of the building was received from Vic Meyer Enterprises, LLC and the Commissioners were agreeable to proceeding. The Focus reporter was present.

IN THE MATTER OF
ECONOMIC ACTIVITY TAXES (EATS), ROLLA WEST:

Payment of \$35,237.08 in RollaWest TIF EATS was discussed, as representative of over \$8 million in sales for the five retail stores there. The clerk explained that doubling the EATS, which represent 50% of the sales tax receipts, and then dividing by the combined County Revenue 0.5% sales tax and Law Enforcement Sales Tax of 0.375% (0.00875) yielded the \$8.054 million figure for gross sales.

IN THE MATTER OF
SUSTAINABLE OZARKS PARTNERSHIP (SOP)
ANNUAL MEETING:

Commissioner Hicks provided a report of the SOP Meeting of the previous day, where Governor Parson, US Senator Hawley and US Representative Hartzler, among others, appeared.

IN THE MATTER OF
TAX LEVY HEARINGS:

The clerk supplied information about the process of the sales tax roll-back, which allowed for deduction of 50% of the sales taxes from the total maximal property tax revenues which would result from the property tax ceiling rates. The following notices will be published:

NOTICE OF PUBLIC HEARING

A public hearing will be held at 9:00 a.m. Thursday, August 25, 2022 in the Phelps County Commission Hearing Room in the Courthouse, 200 N. Main St., Suite 105, Rolla, Missouri, at which time citizens may be heard on the proposed 2022 tax rates to be set by Phelps County. The tax rate is determined by dividing the amount of revenue to be raised by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 assessed valuation.

ASSESSED VALUATION (By Category)	CURRENT TAX YEAR 2022	PRIOR TAX YEAR 2021
Real Estate	\$ 527,782,150	\$ 524,368,460
Personal Property	167,198,231	132,341,376

PHELPS COUNTY COMMISSION RECORD
August 18, 2022 Fifteenth day of the July Term

TAX LEVY HEARINGS, Continued:

Railroad & Utility - State	31,804,064	28,214,443
Railroad & Utility - Local	1,828,660	1,808,980
Less Tax Increment Financing	-7,243,010	-7,243,010
TOTAL	\$ 721,370,095	\$ 679,490,249

FUND	AMOUNT OF PROPERTY TAX	TAX RATE CEILING	PROPOSED TAX FOR 2022
Phelps County Board For the Developmentally Disabled	\$ 465,451	\$0.0686	\$0.0686

s/s Pamela K. Grow, Phelps County Clerk

PUBLISH: Phelps County Focus - Thursday, August 18, 2022

NOTICE OF PUBLIC HEARING

A public hearing will be held at 9:15 a.m. Thursday, August 25, 2022 in the Phelps County Commission Hearing Room in the Courthouse, 200 N. Main St., Suite 105, Rolla, Missouri, at which time citizens may be heard on the proposed 2022 tax rates to be set by Phelps County. The tax rate is determined by dividing the amount of revenue to be raised by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 assessed valuation.

ASSESSED VALUATION (By Category)	CURRENT TAX YEAR 2022	PRIOR TAX YEAR 2021
Real Estate	\$ 527,782,150	\$ 524,368,460
Personal Property	167,198,231	132,341,376
Railroad & Utility - State	31,804,064	28,214,443
Railroad & Utility - Local	1,828,660	1,808,980
Less Tax Increment Financing	-7,243,010	-7,243,010
TOTAL	\$ 721,370,095	\$ 679,490,249

FUND	AMOUNT OF PROPERTY TAX	TAX RATE CEILING	PROPOSED TAX FOR 2022
General Revenue	\$ 668,275	\$0.2667	\$0.0926
Road & Bridge	\$ 698,108	\$0.1905	\$0.0937

s/s Pamela K. Grow, Phelps County Clerk

PUBLISH: Phelps County Focus - Thursday, August 18, 2022

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 56,, 54 and 20 invoices in the amounts of \$126,090.54, \$33,714.79 and \$21,399.53, respectively. Also approved were Rolla Marketplace TIF Eats.

READ AND APPROVED:

Absent
Randy Verkamp, Presiding Commissioner

Joey Auxier
Joey Auxier, Commissioner District 1

Gary W. Hicks
Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 23, 2022 Sixteenth day of the July Term

Now at this the 23rd day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Joey Auxier, Commissioner District 1
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

IN THE MATTER OF
HYPOINT SEWER AND RREC, COUNTY ARPA FUNDS REQUEST:

Ben Tipton of the Rolla Regional Economic Commission (RREC) said the group had recently been considering which direction was optimal for Rolla's expansion. Also present were local residents Ray Schweikhardt and Chester Crider, the focus reporter, Dale Martin of RREC, and Theresa Lasher of the Sheriff's Department. Tipton said the direction is likely to the east, and there is an emphasis on watershed studies which need funding. RREC has agreed to put in \$13,500; Intercounty Electric \$10,000; and RREC is appealing to the County to put in \$10,000. He estimated this would be about half of the total study cost of \$87 K. The sewershed of the Hypoint area was to the south. The city is paying for a different portion of the study. Considerations would be the type and size of industry that would be put in. Hicks wondered if the study would show that a completely new sewage treatment plant would be needed. Commissioner Auxier moved and Commissioner Hicks seconded a motion to commit the County to participate, using \$10,000 in ARPA funds. Collector Faith Barnes entered at 0910. Tipton and Martin left at 0912.

IN THE MATTER OF
COLLECTOR'S TAX SALE:

Discussion by Barnes included 18 properties total with sale of 12 and 6 no bids. One parcel is post-third year sale and was not included. The total delinquent taxes and fees collected was over \$20,000; the surplus amount was over \$57,000. Barnes discussed the process at some length but emphasized the county does not 'make money' on the sale. Local resident Chester Kojro entered at 0925.

IN THE MATTER OF
PINE HILL CEMETERY:

Crider reported recent vandalism, a third incident, with knocked-down headstones, scattered grave decorations and a dumped trash barrel. Local resident Gary Green used his tractor to reposition some of the headstones. A PCSD Deputy was called and came to make a report. Crider is going to speak with a local resident about using game cameras, and left about 0935.

IN THE MATTER OF
SHERIFF'S DEPARTMENT:

Sheriff Mike Kirn entered at 0945 followed by Collector Barnes. September will be the inspection for the new law enforcement academy. Bids for builder's risk insurance for jail expansion are pending. Kirn is impatient for the cells to be delivered.

PHELPS COUNTY COMMISSION RECORD
August 23, 2022 Sixteenth day of the July Term

IN THE MATTER OF
CITY OF NEWBURG AND LAW ENFORCEMENT:

Barnes said she had received a report of a strong odor coming from 600 Mulberry St. in Newburg from a local resident and when the individual went to city hall to report it, they were told there "...was no law enforcement in the city of Newburg." Sheriff Kirn will dispatch a deputy; he left at 1010.

IN THE MATTER OF
ABLE COMMISSION:

Zelda Shelton, Susan Birdsong and Barrett Payne of ABLE Commission said that they received a letter from the city of Rolla telling them that they will be "homeless" on 12/31/2022. County Treasurer Carol Green entered at 1012. The Holloway House had issues on inspection. ABLE is seeking temporary housing until the new PCS Senior Center opens. The city had made some suggestions of places they could temporarily reside. Payne said that they minimally needed 600 square feet, mostly Monday through Thursday; many of their activities occur elsewhere. Shelton said that Kaleidoscope had wanted to use the space in Holloway House after ABLE relocated to the new senior center; this potential use by children spurred an inspection. There are concerns regarding lead. A brainstorming session regarding potential locations ensued; Green recommended contacting local landlords Dale Wands and Gary Heavin and local realtors. Shelton said they receive \$5500/year from the city and they are to appear before the city council in October. Kojro and the ABLE members left at 1030.

IN THE MATTER OF
CART FUNDS:

Green presented CART funds for the month of August. She left, and was followed after a few minutes by Schweikhardt.

IN THE MATTER OF
SPECIAL SESSION OF THE GENERAL ASSEMBLY:

The Commissioners listened to Governor Parson on a conference call or roughly 15 minutes, until approximately 1105, as he spoke about his decision to call a special session for tax cut legislation.

IN THE MATTER OF
CORNER REMONUMENTATION:

As moved by Commissioner Auxier, seconded by Commissioner Hicks, Phelps County's participation in the Missouri Department of Agriculture County Cooperative Remonumentation Program, with a planned submission of sixteen (16) Certified Land Corner Documents, was approved.

IN THE MATTER OF
CREDIT APPLICATION:

PHELPS COUNTY COMMISSION RECORD
August 23, 2022 Sixteenth day of the July Term

CREDIT APPLICATION, Continued:

At the request of the Building and Grounds a credit application for the vendor 1000Bulbs.com was reviewed and approved as moved by Commissioner Hicks and seconded by Commissioner Auxier.

IN THE MATTER OF
DEATH OF ASSESSOR AND APPOINTMENT OF INTERIM ASSESSOR:

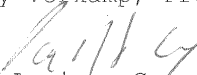
The Commission was saddened to learn that Assessor William T. Stoltz had passed away the previous evening, after a brief illness. Deputy Assessor Paul Long entered at 1140 and briefly discussed the operation of the office going forward. As moved by Commissioner Auxier and seconded by Commissioner Hicks, Paul Long was appointed Interim Assessor. The clerk will notify the Governor's office of the circumstances, as the governor will make an appointment pursuant to Missouri statutes.

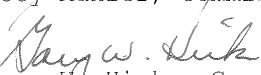
IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of \$840.22 for Sheriff's Department credit card; \$2,502.43 for employee expense reimbursements; \$18,752.34 for 9 invoices for contract pay and \$125,124.89 for the employee health insurance premiums. Also they approved 134 invoices for paying \$20,588.26 for election judge stipends, training and travel for the August 2 primary.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Joey Auxier, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 25, 2022 Seventeenth day of the July Term

Now at this the 25th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Joey Auxier, Commissioner District 1
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

IN THE MATTER OF
TAX LEVY HEARING,
PHELPS COUNTY BOARD FOR THE DEVELOPMENTALLY DISABLED:

Board Chairman Gary Young and member Donna Adam were present for the hearing at 0900. The reporter was also present. The tax levy ceiling this year was 0.0686, up very slightly due to a decrease in the adjusted assessed valuation, from 0.0685 last year. The clerk discussed the origins of this, due to the adjusting process removing (county-wide) over 6 million in new construction and \$37 million in personal property. The latter was caused by the sharp increase in the Blue Book values of used motor vehicles, which assessors must follow. After adjustment the assessed value county-wide was actually down 0.1472%. Collector Faith Barnes entered at 0912. The 8 agencies funded by PCBDD were discussed. Presiding Commissioner Verkamp asked for other comments for the good of the order; hearing none, he closed the hearing. Young and Adam left as Sheriff Kirn entered at 0920.

IN THE MATTER OF
COLLECTOR:

Barnes mentioned speaking with a resident who expressed his appreciation for the very courteous services he'd received from the assessor's and collector's offices. Karen Jones in the assessor's office was specifically recognized.

IN THE MATTER OF
CRIME IN BEAULAH AREA:

Sheriff Kirn discussed the recent discovery of a 40-year-old deceased woman in a very primitive settlement south of Highway K near Beulah. An extensive discussion of the absentee land owner and his practices ensued; these seem to promote severe social disorganization for the population drawn to live there. The reporter believed conspiracy theories about coming societal collapse and a fixation over living "off the grid", as well as an obsession for being self-sufficient, were responsible.

IN THE MATTER OF
SENIOR COMPANIONS:

Memoranda of Understanding between St. James Living Center and the Phelps County Senior Companions were approved as moved by Commissioner Auxier and seconded by Commissioner Hicks.

IN THE MATTER OF
TAX LEVY HEARING, COUNTY REVENUE
AND ROAD AND BRIDGE LEVIES:

PHELPS COUNTY COMMISSION RECORD

August 25, 2022 Seventeenth day of the July Term

COUNTY REVENUE AND ROAD AND BRIDGE LEVIES, Continued:

Due to prior discussions the hearing did not begin until 1030. The clerk proposed levies of 0.0926 and 0.0968 for County Revenue and Road and Bridge, respectively. The ceilings had been increased for County Revenue from 0.2663 to 0.2667 and for Road and Bridge from 0.1902 to 0.1905 from 2021 to 2022, due to a miniscule percentage decrease in the adjusted year to year assessed valuation. The clerk calculated the 50% sales tax roll back and additionally the roll back not taken in the prior year because the first 6 month's sales tax---used as of necessity in an August calculation---was less than half of the entire sales tax revenue for those two funds in 2021. She has been making this additional roll back for a number of years now. This is what produced the levies she recommended. Given the roll back, they were the maximum allowable to the Commission. As moved by Commissioner Hicks and seconded by Commissioner Auxier, the proposed tax levies were approved. No one aside from the reporter was present for the hearing.

IN THE MATTER OF
PROPOSED SUBDIVISION PLAT:

Local resident Katrina Heitman entered with a subdivision plat for The Nest at Quail Run Estates, this will be reviewed and potentially approved by the Commissioners at their next meeting. Phelps/Maries Health Department Director Ashley Campbell entered at 1135 just as Heitman left.

IN THE MATTER OF
HEALTH DEPARTMENT GRANTS:

\$76,xxx for Healthy Families grant was approved as moved by Commissioner Auxier and seconded by Commissioner Hicks, as was the MOU between DHSS and PCHD. A participation agreement from 10/1/2022 through 9/30/2025 for environmental childcare inspections was discussed briefly by Campbell; the rates have not increased for a long time and Campbell says she and several other directors have requested this. As moved by Commissioner Auxier and seconded by Commissioner Hicks, this was approved.

IN THE MATTER OF
CERF CREDITS AND COUNTY PAYROLL:

In 2018 the County began making 1% of the total 4% contribution of full-time employees to CERF. Employees are not vested until 8 years of service; those who leave employment prior to this may have their personal contributions returned to them. The 1% County share in these cases has amounted to over \$27,000 in 4.5 years, and the clerk wanted the Commission to be aware that Deputy Clerk Lisa Dowdy (HR) was using these credits, within the same fund and department (if applicable) to defray the payroll costs to the county going forward. She had been able to apply over \$23,000 of the credits to date, since 1/31/2019, keeps a careful spreadsheet of the amounts, and balances to CERF.

IN THE MATTER OF
MAC PREPAID LEGAL SERVICES:

PHELPS COUNTY COMMISSION RECORD
August 25, 2022 Seventeenth day of the July Term

MAC PREPAID LEGAL SERVICES, Continued:

The clerk informed the Commission that hours of phone consultation time are being tracked by the attorney, Travis Elliott, and there is currently no balance owed.

IN THE MATTER OF
PERSONAL PROPERTY COURT ORDERS:

The Commission reviewed and approved court orders numbers 2119 through 2123, representing 2017 through 2021 add-on's of personal property assessed valuations for July 2022. Only 2018 showed a negative impact on the taxes (-\$188.61); the others showed between \$51.42 increased taxes (2017) up through \$16,030.16 (2021).

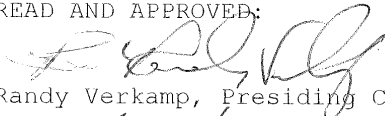
IN THE MATTER OF
PAYROLL:


The Commission reviewed and approved payroll for August 31, 2022 in the amount of \$227,502.32 net wages, \$69,702.20 federal and \$9,602.50 state withholdings, respectively.

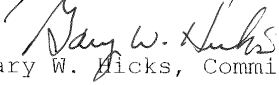
IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 27 and 33 invoices in the amounts of \$35,649.34 and \$72,998.60, respectively.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Joey Auxier, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD
August 30, 2022 Eighteenth day of the July Term

Now at this the 30th day of August the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Joey Auxier, Commissioner District 1
Gary W. Hicks, Commissioner District 2
Pamela K. Grow, Phelps County Clerk

IN THE MATTER OF
FREIGHTLINER TRUCK:

Focus reporters Andrew Sheeley and Josh Sumner were present as was Andy Helms, former employee of the Juvenile Division and the unopposed, November 2022, Pulaski County Western District Commissioner candidate. Matt Pace with Truck Centers Inc., a Freightliner and Western Star dealer, and Scott Boyer with Viking Cives Midwest Sales, as well as Superintendent of Roads Mark Case and Michelle Bock of the Road Department entered. Case provided details on how vague and indefinite the build date and delivery of an International Truck would be. Pace said his firm deals with the same supply chain problems as their competitors, but he estimated that he would be able to get a truck chassis ready by mid-2023 and Boyer would need 90 days to complete the body; they have trouble obtaining hydraulic systems. Boyer said they are on the state MoDOT contract, as is Pace. Commissioner Hicks asked about any repercussions of withdrawal from a Scheppers agreement. The 2015 International Maxforce truck with nearly no miles on the \$30,xxx new motor around 160 thousand miles on the chassis will not be taken by Scheppers in trade (despite them being an International dealer) and Pace said he believed he was making a generous trade-in allowance for this truck. He always has to put a great deal of work into these trucks and almost sees the trade-in as a liability; he would understand the decision on the part of the County to auction off the old truck online. Presiding Commissioner Verkamp suggested the Road Department contacting Scheppers via email to try to document the intent to withdraw from the agreement to assess their response. Pace and Boyer left at 0925; just as local resident Chester Kojro and Collector Faith Barnes entered; Barnes left after scanning the agenda.

IN THE MATTER OF
ROAD WORK:

Case and the Commission engaged in a discussion over the statue of multiple projects and some equipment issues.

IN THE MATTER OF
COMMISSARY BANK ACCOUNT:

Theresa Lasher of the Sheriff's Department entered with a letter from the Sheriff stating that the new Commissary and Inmate Banking services company would insist on, and be granted, a new banking account so funds from the prior vendor would not be commingled. Lasher said she is taking steps to make sure that the outgoing vendor will not "freeze" the funds say, over a weekend, and prevent her from accessing them. She writes checks for the inmates.

PHELPS COUNTY COMMISSION RECORD

August 30, 2022 Eighteenth day of the July Term

IN THE MATTER OF
PLAT APPROVAL, THE NEST AT QUAIL RUN, AND
QUARRY ONE SUBDIVISION:

Case said that Quarry I was built in 2004 with rollback curbs and asphalt and they haven't done any maintenance on it until this year. He thinks that it has held up very well. Regarding deliberations about incorporating rollback curbs into amended road requirements, Presiding Commissioner Verkamp warned of putting new requirements on developers who operated with pre-existing road specifications; there was no action in this regard. The plat was approved as moved by Commissioner Auxier and seconded by Commissioner Hicks. The reporters then left at 0955.

IN THE MATTER OF
MOCA HEADSTART:

An employee of the County entered to discuss the timing of the opening of the Rolla Headstart facility, which remains locked until 0750 before allowing parents in who must perform several tasks like stowing belongings, signing students in, washing their hands and getting their breakfasts. She said she didn't mind doing these things but wanted 5-10 minutes' earlier access so that she might be on time for work. Commissioner Hicks was in contact with the staff at Headstart and will work with the employee more if needed to resolve this issue.

IN THE MATTER OF
COURTHOUSE HVAC PROJECT:

Director of Building and Grounds, Support Services Sissy Korich entered at 1045 to report the final invoice had been received for the HVAC work and it was roughly \$50,000 over the \$225,000 that had been budgeted; a budget amendment will be made.

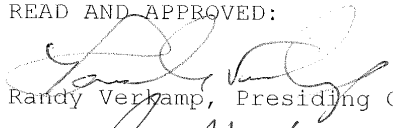
IN THE MATTER OF
COOLING TOWER REPLACEMENT:

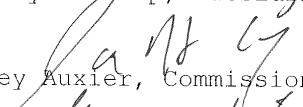
Korich said she was getting estimates for the replacement of the cooling tower for the Courthouse.

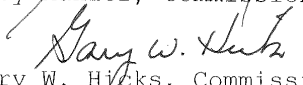
IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 4, 28 and 40 invoices in the amounts of \$5,415.68; \$23,498.91 and \$59,512.57, respectively.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Joey Auxier, Commissioner District 1


Gary W. Hicks, Commissioner District 2