

Phelps County Commission Record
September 5, 2023 Eighteenth Day of the July Term

Now at this 5th day of September, the Commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Presiding Commissioner
Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

The Focus Reporter was also present. Deputy Clerk Hudson took notes.

IN THE MATTER OF
TAX ABATEMENT ORDERS:

The Commission reviewed and approved tax abatement certificates 2171 to 2175.

IN THE MANNER OF
MERAMEC COMMUNITY ENHANCEMENT CORPORATION:

A current member of the Meramec Community Enhancement Corporation will be stepping down in the near future because of work scheduling conflicts. MCEC is a nonprofit subcommittee of the Meramec Regional Planning Commission that seeks government grants. Commissioner Hicks mentioned that a new member will need to be appointed by the Commission. The Commissioners will compile a list of possible interested persons for consideration.

The Focus Reporter left at 9:08.

IN THE MATTER OF
CULVERTS AND LOW-WATER CROSSINGS:

The Commission discussed generally possible installation and repair of culverts, box culverts, and low-water crossings. Washouts of gravel are of particular concern.

IN THE MATTER OF
CRAWFORD COUNTY REQUEST FOR GRADING TRADE:

The Crawford County Commission has requested use of a grader for one of its roads near the County line. They were referred to the Road and Bridge Superintendent to negotiate a trade of services.

The Treasurer entered at 9:30.

IN THE MATTER OF
SCHEDULE OF EXPENDITURE OF FEDERAL FUNDS (SEFA):

The Clerk and the Treasurer are working with the Commission to implement a policy for County Officeholders to maintain spreadsheets of federal monies received and expended, rather than submitting data for compilation and formatting to the Clerk's Office.

Guidance has never been forthcoming from the State or advisory bodies about how to comply with SEFA.

The matter will be taken under advisement and discussed with the elected Clerk, after the Missouri Association of County Clerks and Election Authorities conference ends.

Michelle Bock from the Road and Bridge Department entered at 9:45. The Treasurer left at 9:51.

IN THE MATTER OF
FENCE AT NEW ROAD AND BRIDGE FACILITY:

An owner of property on the north side of the new road being built at the new Road and Bridge facility has communicated his intent to build a fence parallel to the road on his property. He also inquired if the Commission would contribute to the expense or labor required to build the fence. The Commission declines to fund or contribute labor to this project, as it has no interest in the fence on private property. The County will be fencing off the road on the new facility site, and will install a gate to the entrance.

IN THE MATTER OF
ROAD AND BRIDGE DEPARTMENT UPDATES:

Discussion was had of possible salt mixtures being applied to roads to mitigate warping in heat and humidity based on moisture levels.

Comments have been made about the intersection of Country Oak Estates Drive and Country Club Drive creating potential for collision. The Commission will consider an ordinance requiring stop signs at this location.

IN THE MATTER OF
YIELD SIGN - INTERSECTION OF COUNTRY CLUB DRIVE AND
COUNTRY OAK ESTATES:

On motion of Commissioner Stites, seconded by Commissioner Hicks, a yield sign is ordered on Country Oak Estates Drive at its intersection with Country Club Drive.

IN THE MATTER OF
ROAD AND BRIDGE DEPARTMENT UPDATES:

A property owner on County Road 4200 had an old agreement with Road and Bridge to blade to his barn entrance if County graders turned around on this property. A gate now prevents access to the previous extent, but the owner has asked about getting his drive bladed.

No formal agreement exists in writing, and the Commission is not prepared to expend County time and resources to maintain private property. There is a problem of liability besides, if County equipment is used on private property and damage results. If there is proof by way of deed that the County must maintain a road, that is another matter; but no such proof has been supplied.

IN THE MATTER OF
ACCOUNTS PAYABLE - CONTRACT PAY:

September contract pay in the amount of \$19,585.68 was reviewed and approved.

Ms. Bock left at 11:02; the Coroner entered at 11:02.

IN THE MATTER OF
STORAGE OF HUMAN REMAINS:

The Coroner recently was called to a multiple-fatality car accident, and had to locate family members for instructions on disposal of human remains. The Coroner said this is an example of why new arrangements need to be made for storage of remains. Family members need to be contacted before embalming or other preservation methods are taken.

IN THE MATTER OF
CORONER'S COMPENSATION:

The Coroner requested compensation for the three decedents in the recent vehicle accident, under Section 58.095.5 RSMo.

On motion of Commissioner Stites, seconded by Commissioner Hicks, the Commission approved additional compensation to the Coroner for the month of August 2023, in an amount equal to the monthly compensation of the Sheriff, in accordance with Section 58.095.5 RSMo.

This might require a budget amendment for the year.

Local resident Frank Meurer entered at 11:27.

IN THE MATTER OF
COUNTY ROAD 3590:

Mr. Meurer asked what the extent of Redbird Road / CR 3590 is, as the Assessor's Office is closed to walk-in traffic today for maintenance.

The Coroner left at 11:29.

Mr. Meurer is wanting to confirm the extent of CR 3590 for maintenance purposes, more for informational purposes than anything, and for family research. Mr. Meurer was referred to the Recorder's Office, and also to the historical section of the St. James library.

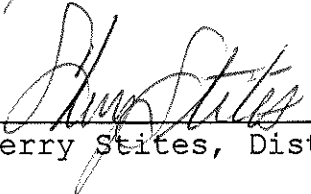
Mr. Meurer left at 11:40.

Hearing no other business announced, the Commission adjourned at noon.

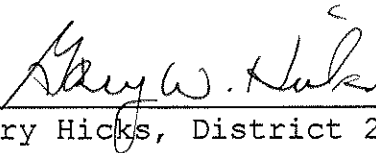
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
September 12, 2023 Twentieth Day of the July Term

Now at this 12th day of September, the Commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Presiding Commissioner
Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

Sheriff Kirn was also present. Deputy Clerk Hudson took notes.

IN THE MATTER OF
JAIL RENNOVATION CHANGE ORDER 005:

The Sheriff presented the Commission with proposed change order number 005 concerning jail renovations. The change would allow for use of a substitute, thinner roofing deck, with sound-absorbing insulation. This would result in approximately \$20,000 savings from original estimates. On motion of Commissioner Hicks, seconded by Commissioner Stites, change order 005 was approved and signed.

IN THE MATTER OF
JAIL RENNOVATION UPDATES:

As relayed by the Sheriff, jail renovations and expansion are approximately a month ahead of schedule, owing to only one day lost to rain. Cells are fabricated and waiting to be shipped from the last remaining manufacturer in the United States. Propane tanks will be buried, a process that involves pouring a concrete pad and absorption devices for moisture and seismic activity. Overall savings to date under initial estimates exceed \$1 million.

IN THE MATTER OF
JAILER RETIREMENT PLAN:

The Commission is investigating jailers' law enforcement certification and hours worked to evaluate their qualifications for retirement programs.

IN THE MATTER OF
SHERIFF'S RETIREMENT FUND:

The Sheriff provided an overview in revisions to the law governing the Sheriffs' Retirement Fund. Under previous state laws, employees enrolled in the County Employee Retirement Fund (CERF) who were elected sheriff no longer accumulated CERF contributions upon taking office. The individual would be enrolled in the Sheriffs' Retirement Fund; however, the SRF benefits only vested if the individual was elected to and began a second term of office. In other words, during a first term as sheriff, CERF did not accumulate, and SRF benefits were not yet vested.

Under new law, sheriffs elected after the revision would also have their Local Government Employee Retirement System (LAGERS) benefit accruals tolled, or paused, for the first 4-year term of office, in addition to the cessation of CERF accruals and lack of vested SRF benefits for their initial term. This happened in the wake of the Missouri Supreme Court ruling that the SRF could not be funded in part by court costs, as this is outside expense reasonably related to the administration of justice (*Fowler v. MO Sheriffs' Retirement System*).

IN THE MATTER OF
DEATH INVESTIGATIONS:

Discussion was had of death investigations, how the need for autopsies is determined, how space for storage of human remains is determined, and of the use of the Coroner's official police vehicle when investigating deaths and transporting remains.

The Public Administrator Ms. Sooter entered at 9:45.

The question was asked if the Coroner is allowed to "run code" (activate lights and sirens) when responding to a scene. The Sheriff confirmed that the Coroner is allowed to do so. It was then asked if this is used as a general practice, in relation to wear on official vehicles.

Local resident Mr. Chester Crider entered at 9:53.

IN THE MATTER OF
CITIZEN INPUT:

Mr. Crider provided the Commission with some new overhead photographs and videos of the new Road and Bridge shed taken with his drone camera. The Commission viewed these, and thanks Mr. Crider for his imaging for informational and mapping purposes.

The Sheriff left at 10:00.

IN THE MATTER OF
PUBLIC ADMINISTRATOR HOTLINE REPORT:

The Public Administrator wanted the Commission to be aware that a nurse at the Phelps County Medical Center called the Department of Health and Senior Services Hotline about one of the Public Administrator's wards. The ward in question both requires and demands a good deal of attention - approximately 20% of the Public Administrator's personal time. The nurse who made the hotline call told the Public Administrator that the ward was a "frequent flyer" at the emergency room. The ward has a habit of being admitted and then requesting to be discharged, against medical advice - which the hospital has done, without consulting the Public Administrator, despite requiring her consent before discharging against medical advice. After conferring with legal counsel, the Public Administrator is confident that the report will be unsubstantiated. If any entity is at fault, it is the hospital for discharging the patient without proper consent.

Local resident Chester Kojro entered at 10:12.

The investigation triggered by the hotline call does not preclude the Public Administrator from caring for her charges, including the individual in question. The Public Administrator said that she would keep the Commission updated in this matter, and left at 10:18.

IN THE MATTER OF
CONFLICT OF INTEREST ORDINANCE:

The Commission reviewed final-draft text of the proposed county-wide conflict of interest ordinance for County officials. On motion of Commissioner Hicks, seconded by Commissioner Stites, the ordinance was approved and enacted with immediate effect.

IN THE MATTER OF
DEPARTMENT OF ECONOMIC DEVELOPMENT BLOCK GRANT PARTICIPATION:

The Commission reviewed and approved a Community Development Block Grant participation agreement from the Department of Economic Development. The letter of agreement to participation was signed by all three commissioners.

Road and Bridge Department Superintendent Mark Case entered at 10:47. Mr. Kojro left at 10:52.

IN THE MATTER OF
ACCOUNTS PAYABLE:

Commission reviewed and approved invoice in the amount of \$27,937.59 for Senior Companions.

Thomas Long from KVC, the company that manages Great Circle, and Gene Gabriele from Gabriele Crane Rental entered at 10:56.

IN THE MATTER OF
COUNTY ROAD 3062 BRIDGE WEIGHT LIMIT:

Great Circle, the Road and Bridge Department, and Gabriele Crane Rental are concerned with the weight limit on the CR 3062 bridge, as it forms part of the most direct route to Great Circle where renovations requiring heavy equipment are planned. A 210-ton crane is one of the vehicles planned to be brought in, and it is generally agreed the bridge would not sustain this or similar weights; the bridge was already steel reinforced in the past to allow passage of much lighter school buses and fire trucks.

The Great Circle project is scheduled to start around January 2024. Analysis will need to be done of both the bridge and the road, to determine weight limits and whether construction vehicles can negotiate the turns in CR 3062.

A temporary bridge is a possible, but unattractive solution, as it would cost an estimated \$35 - 40 thousand, and would need to be reinstalled if further construction or repair needs arise at Great Circle after the planned renovations.

Owner Brian Kingsberry and engineer Mike Kelly from KCS Construction, LLC, arrived at 11:20.

KCS shares the concern of having a stable bridge, and emphasized that it would need one for the duration of the renovations project, not just for a one-time crossing. The project deadline is January 1, 2025, but infrastructure is projected to take about 6 months.

Generally, discussion ensued of an updated bridge. The concept was narrowed to the contractors buying a culvert, KCS buying a concrete box culvert, and the County installing it - financial commitment by contractors and labor investment by the County. KCS will consult its corporate directors about contributing the cost of \$50,000 for new box culvert. The County labor, equipment, materials and fuel contribution would amount to about a two-thirds contribution to the project.

The interested parties were advised to contact the Meramec Regional Planning Commission for the necessary permits to work in a floodplain.

Long, Gabriele, Kingsberry, and Kelly left at 11:51.

Mr. Case then provided the Commission a brief overview of current MoDOT drainage requirements, stream discharge statistics, and general construction requirements for culvert and bridge installation.


Mr. Case left at 12:07.

Hearing no other business announced, the Commission adjourned at 12:07 pm.

Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
September 7, 2023 Nineteenth Day of the July Term

Now at this 7th day of September the commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Presiding Commissioner
Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

Deputy Clerk Cook took minutes in the absence of County Clerk Johnson.

IN THE MATTER OF
MERAMEC REGIONAL PLANNING COMMISSION
FLOODPLAIN PERMIT:

Commissioner Auxier signed permit.

Brandi Richardson from the extension office and The *Focus* Reporter entered at 9:05.

IN THE MATTER OF
PHELPS COUNTY EXTENSION:

Brandi from Extension reported that they are still doing interviews, but has had no luck in filling the position. Brandi inquired who would be liable for their retirees benefits, The Commission stated that they would be covering it.

Julianna Thrasher 4H specialist entered.

Thrasher gave an update on 4H groups in the county and informed the commission that they are partnering with the county sheriff's department for their shooting program.

Thrasher and Richardson left at 10:24.

IN THE MATTER OF
ACCOUNTS PAYABLE:

Accounts payable in the amount of A-L \$350,227.72, M-Z \$32,023.19, and UMR \$136,553.53 were reviewed and approved.

IN THE MATTER OF
COUNTY ROADS:

Michelle Bock, Mark Case, and Shawn Pearson from the road department entered and gave an update on county roads.

IN THE MATTER OF
SENATE INFORMATION:

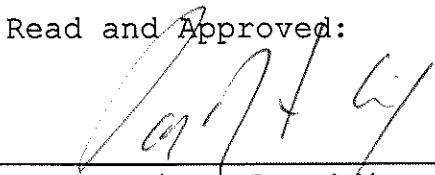
Nick Althoff from Senator Josh Hawley's office gave an update on what is going on.

IN THE MATTER OF
MRPC DUES:

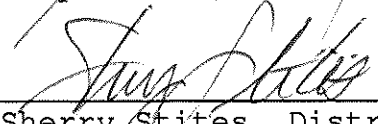
Commissioner Hicks moved to approve the payment of dues for MRPC, Commissioner Stites seconded, motion carried.

Hearing no other business announced, the Commission adjourned.

Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
September 14, 2023 Twenty-first Day of the July Term

Now at this 14th day of September, the Commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Presiding Commissioner
Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

The Collector was also present. Deputy Clerk Hudson took notes.

IN THE MATTER OF
REMONUMENTATION PROGRAM:

The Department of Agriculture has a re-monumentation program, where it will survey and replace up to 16 section corner monuments a year. This would involve a \$350 payment per marker by the County. On motion of Commissioner Hicks, seconded by Commissioner Stites, participation in this program was approved.

IN THE MATTER OF
ESTATE OF ORVILLE GIBSON:

This matter, discussed at immediately previous meetings, involves payment of surplus tax sale revenue to the heiress of the decedent. The Collector discovered the claimant was delinquent in her taxes in the amount of \$115.10. Claimant's attorney communicated to the Collector that there is no objection to offsetting claimant's tax delinquency by deducting \$115.10 from the surplusage remitted to claimant. On motion of Commissioner Hicks, seconded by Commissioner Stites, the Commission approved release of the surplus funds, minus \$115.10, and signed a letter to the Treasurer memorializing this.

The *Focus Reporter* entered at 9:06 followed by Grant Wilson from U.S. Representative Jason Smith's office at 9:11.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved invoices in the amounts of \$83,424.04 for A - L, \$57,542.60 for M - Z along with the Bi-weekly County payroll in the amount of \$243,735.46

IN THE MATTER OF
CONGRESSIONAL UPDATES:

Mr. Wilson relayed that Congressman Smith has been on tour to investigate healthcare costs for the Ways and Means Committee. Congress is back in session as of September 12.

Sissy Korich from Support Services entered at 9:38.

IN THE MATTER OF
COURTHOUSE ENTRANCE RENOVATIONS:

Ms. Korich related that a new electric sliding door has been installed - the company will be back in the near future to repair minor cosmetic damage from a drill hole in a wrong spot. New security equipment will be installed and manned by October.

Discussion then proceeded to the old welcome desk in the main foyer. The Commission asked if the Maintenance Department had any ideas how to make the currently unoccupied space into usable space, since no greeters have been employed for several years.

Ms. Korich left at 9:47.

Local resident Chester Crider entered at 9:50.

IN THE MATTER OF
CITIZEN INPUT:

Mr. Crider provided some new overhead drone photos of the new Road and Bridge facility. The Commission expresses its thanks to Mr. Crider for his continuing work in digital imaging and willingness to share this with the County.

Mr. Crider left at 9:57.

The Treasurer Cathy Tipton entered at 10:00.

IN THE MATTER OF
COUNTY SALES TAX COLLECTIONS:

The Treasurer provided spreadsheets of County tax revenue, and informed the Commission that collections are up slightly over September 2022.

It was mentioned that most SB40 money for the aid of the developmentally disabled now goes straight to the program administration and does not pass through County offices, with the exception of Collector's Office turnover.

IN THE MATTER OF
OPIOID MANUFACTURER SETTLEMENT FUNDS:

No additional funds have been received from the opioid manufacturer settlement with the County, but based on recent communications some \$36,000 is expected by next week or soon after.

The Treasurer and The Focus Reporter left at 10:09.

IN THE MATTER OF
ROAD AND BRIDGE FACILITY:

The Commission drafted and discussed language for a notice of solicitation of bids for the old Road and Bridge facility land, which will be offered for sale in light of construction of a new facility.

The Public Administrator Dana Sooter entered at 10:33.

IN THE MATTER OF
PUBLIC ADMINISTRATOR HOTLINE REPORT:

Phelps County Commission Record
September 19, 2023 Twenty-Second Day of the July Term

Now at this 19th day of September, the Commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Presiding Commissioner
Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

Deputy Clerk Hudson took notes.

IN THE MATTER OF
COUNTY ROAD 3620 DRY FORK CREEK BRIDGE - BRO PROJECT:

County Road 3620 involves a federally-funded bridge widening project. There is a spur of privately-owned land to the southeast side of the bridge that would need to be acquired to accommodate bridge expansion. The County will negotiate to buy this property, and the engineer for the project will be at a Commission meeting next week to provide further detail of the project and negotiations for the needed land.

IN THE MATTER OF
MISSOURI ASSOCIATION OF COUNTIES ANNUAL CONFERENCE DELEGATES:

Presiding Commission Auxier, Commissioner Stites, the County Recorder, Collector, and Treasurer were appointed delegates to the annual Missouri Association of Counties (MACS) conference.

IN THE MATTER OF
BID SOLICITATION - ROAD AND BRIDGE FACILITY:

On motion of Commissioner Stites, seconded by Commissioner Hicks, a bid solicitation was approved for publication offering the former Road and Bridge facility land for sale.

IN THE MATTER OF
LAGERS EMPLOYER REPRESENTATIVE:

On motion of Commissioner Stites, seconded by Commissioner Hicks, Peter Cook of the County Clerk's Office is named employer delegate to the annual Local Government Employee Retirement System (LAGERS) conference.

The Assessor entered at 9:18.

IN THE MATTER OF
DISPOSAL OF COUNTERS - ASSESSOR OFFICE:

The Assessor's Office recently had its front counter replaced. The old counters were advertised for sale on Gov Deals, but as of yet have not sold. Discussion was had of additional options for disposing of the property - the Assessor was referred to the Clerk's Office and Maintenance for guidance on disposing of the property in accordance with law.

IN THE MATTER OF
BID OPENING - ASSESSOR'S OFFICE FORM PRINTING:

As scheduled, bids were opened for printing of Assessor's Office forms, at 9:35. The single bid was received from Edward J. Rice Company of Springfield, Missouri, on September 11 at 11:09 a.m. On motion of Commissioner Stites, seconded by Commissioner Hicks, the Rice bid was accepted.

IN THE MATTER OF
ASSESSOR'S OFFICE FORMS:

Discussion was had of the various ways for taxpayers to complete the assessment forms - including online.

Local residence Linda Hance entered at 9:52.

IN THE MATTER OF
NEWBURG MUSEUM:

Ms. Hance announced there will be a dedication ceremony at the Newburg Museum, September 30, at 1:00 pm, for a new locomotive sculpture.

Discussion was had of the history of the museum and events hosted there.

Ms. Hance left at 10:02.

IN THE MATTER OF
ACCOUNTS PAYABLE - PAYROLL:

The Commission reviewed and approved employee time sheets for Road and Bridge, Maintenance, and Senior Companion department heads.

Local resident Chester Kojro entered at 10:10.

IN THE MATTER OF
LAYDOWN MACHINE:

Discussion was had of the improvement in efficiency and level quality on road maintenance with use of the new laydown machine. There is a noticeable quality difference that can be seen when this machine works alongside an older machine not adapted for the same purposes.

Amy Asberry from Maintenance entered at 10:21.

IN THE MATTER OF
PLANNED MAINTENANCE SERVICE AGREEMENT:

The Commission reviewed and approved a planned maintenance service agreement with Integrated Facilities (IFS). There was no price increase over the previous year.

IN THE MATTER OF

The Public Administrator updated the Commission on a DHSS hotline report she discussed at the last meeting (9/12): as expected, the report was officially deemed unsubstantiated. If anyone was at fault in the matter, it was the Phelps County Regional Medical Center for discharging a patient against medical advice, and without the required consent of his guardian. DHSS stated that the PCRMC nurse's hotline complaint was "obviously" not substantiated.

The Public Administrator left at 10:43.

Ashley Campbell, Director of the Phelps-Maries Counties Health Department entered at 11:20.

IN THE MATTER OF
MATERNAL CHILD CARE AND WIC:

The Commission reviewed and, on motion of Commissioner Hicks, seconded by Commissioner Stites, approved a maternal care and WIC program agreement between the State and the Health Department.

Phelps Health CEO Jason Shenefield entered at 11:22.

IN THE MATTER OF
INSURANCE ACCESS FEES:

A number of patients with private medical insurance and additional Medicare coverage, such as Advantage or part-D, have been concerned with added fees on their medical bills. After investigating this, the hospital has discovered there is a trend for private insurers to add what is essentially a "facility fee" to members' healthcare bills.

The hospital plans to send letters to affected patients in the near future to explain this.

Traditional Medicare and Medicaid recipients do not appear to be affected by these fees.

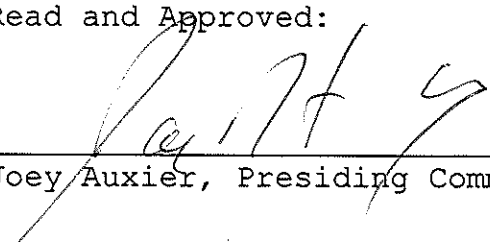
Brief discussion was then had of parallels between Veterans Administration healthcare financing and private insurance payments.

IN THE MATTER OF
COMMISSION MINUTES:

Previous meeting minutes were reviewed and approved with minor corrections.

Hearing no other business announced, the Commission adjourned at noon.

Read and Approved:



Joey Auxier, Presiding Commissioner

Sherry Stites

Sherry Stites, District 1 Commissioner

Gary W. Hicks

Gary Hicks, District 2 Commissioner

COURTHOUSE IMPROVEMENTS:

Ms. Asberry gave brief updates on a new cooling tower and the new sliding door installation at the courthouse.

IN THE MATTER OF
ACCOUNTS PAYABLE - RIVER CITY CONSTRUCTION:

Accounts payable to River City Construction for the Sheriff's Department expansion were approved in the amount of \$2,417,653.84.

The Public Administrator entered at 10:52.

IN THE MATTER OF
ROAD AND BRIDGE FACILITY:

On motion of Commissioner Hicks, seconded by Commissioner Stites, the Commission approved payment of \$319,910.81 out of ARPA funding to Curtiss - Manes - Schulte Construction for the new Road and Bridge facility.

IN THE MATTER OF
PUBLIC ADMINISTRATOR BUDGET:

The Public Administrator said that she would be submitting her budget in a timely manner, and will leave it for submission to the Commission while she is on leave following a knee replacement.

The Public Administrator left at 11:00.

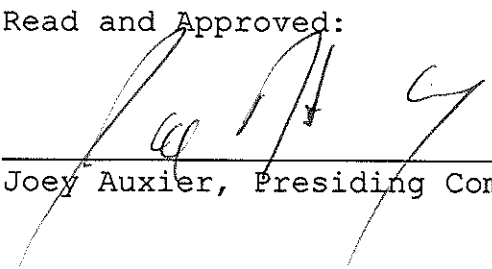
IN THE MATTER OF
COUNTY ROAD 3620 DRY FORK CREEK BRIDGE - BRO PROJECT
REIMBURSEMENT REQUEST:

On motion of Commissioner Hicks, seconded by Commissioner Stites, the Commission approved a progress report and request for \$16,344.32 reimbursement from the Department of Transportation for the County Road 3620 Dry Fork Creek Bridge BRO project.

Mr. Kojro left at 11:24.

Hearing no other business announced, the Commission adjourned at noon.

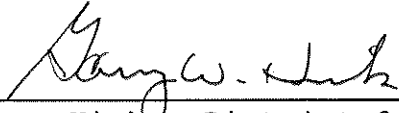
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
September 21, 2023 Twenty-third Day of the July Term

Now at this 21st day of September the commission met pursuant to adjournment and a quorum was present of the following members:

Joey Auxier, Presiding Commissioner
Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner
Laura Johnson, County Clerk

The Focus Reporter was also present.

In the matter of
Letter to Missouri Department of Economic Development:

Commission reviewed the letter of support for the economic development of the Bahr Land & Cattle/IECA Certified Site application. Commissioner Hicks moved to approve the letter, Commissioner Stites Seconded, motion carried at 9:23 am.

JOEY AUXIER
PRESIDING COMMISSIONER
573-458-6121

SHERRY STITES
COMMISSIONER DISTRICT I
573-458-6120

GARY W. HICKS
COMMISSIONER DISTRICT II
573-458-6122

Phelps County Commission

PHELPS COUNTY COURTHOUSE
200 NORTH MAIN STREET, SUITE 105
ROLLA, MISSOURI 65401

Phone: 573-458-6000
Fax: 573-458-6119

LAURA JOHNSON
COUNTY CLERK
573-458-6101

September 21, 2023

Missouri Department of Economic Development
Attention: Certified Site Program
P.O. Box 118
Jefferson City, MO 65101

Re: Bahr Land & Cattle/IECA Certified Site Application

Certified Site Program Staff,

The Phelps County Commission has governmental jurisdiction over the unincorporated areas of Phelps County, which includes the following properties:

71-03-8.0-27-000-000-023.000
71-03-8.0-34-000-000-001.000
71-03-7.0-35-000-000-007.000

On behalf of the Phelps County Commission, I am writing to confirm support for marketing and development of the properties listed above.

The Commission has determined the development of this property will be beneficial to the economic vitality of Phelps County.

Thank you for your consideration.

Sincerely,

Joey Auxier
Pre 'ding Commissioner



In the matter of
Declaratory judgement Petition-Trailer Title:

Commission reviewed and approved the petition to apply for a lost title to a box trailer. Commissioner Hicks advised if there are any monetary costs to this process the Sheriff's Department would be liable for paying that cost.

IN THE CIRCUIT COURT OF PHELPS COUNTY, MISSOURI

PHELPS COUNTY, MISSOURI,)	
Petitioner,)	
)	
)	
v.)	Case no.:
)	
WAYNE WALLINGFORD,)	
DIRECTOR OF REVENUE,)	
in his Official Capacity,)	
Respondent.)	

PETITION FOR
DECLARATORY JUDGMENT FOR VEHICLE TITLE

COMES NOW PETITIONER, Phelps County, Missouri, and for its Petition for Declaratory Judgment for a Vehicle Title respectfully states as follows:

1. Petitioner is a political entity with the capacity to sue.
2. On or about July 1, 1997, Petitioner through its authorized agents purchased a 1998 Play-mar trailer, VIN 1JW300D14W1F30737.
3. No title was issued at the time of sale.
4. Petitioner discovered that no title had been issued for the aforementioned trailer in preparing to sell said trailer, when:
 - a. a diligent search did not produce a title,
 - b. Petitioner applied for a duplicate title, and
 - c. the Department of Revenue advised Petitioner by letter of July 28, 2023 that no title had been issued for the trailer in question.

These facts are more fully supported by Petitioner's exhibits in this matter, attached hereto and fully incorporated herein by reference.

5. This trailer was not purchased for salvage.
6. Petitioner is not aware of any other person or entity claiming title to this trailer.
7. Petitioner is not aware of any active liens or warrants pertaining to this trailer.

WHEREFORE, Petitioner prays that this Honorable Court grant Petitioner title to a 1998 Play-mor trailer, VIN 1JW300D14W1F30737, and order the Director of Revenue to issue title in the same to Petitioner.

In the matter of
MRPC Survey:

Commission reviewed the MRPC Survey for 2024 State Legislative Issues and interjected their concerns for within the State and Phelps County:

Under Regional Transportation:

- Highway V Interchange Improvements
- Highway 63 (possible Rolla Bypass) 4 lane thru state

Under Health Care/Social Services:

- Mental health/Addiction Treatment Opportunities and Facilities

Under General:

- State statute 58.200 must be rescinded. Generally, Coroners do not have the post certification necessary to hold office.

Ray Schwartz from Senator Justin Browns office entered at 9:35 am.

In the matter of
General Discussion:

Discussions were had on how there needs to be limits to how long a representative can speak in the house. The problem with no limit is currently any representative can stand up and speak on non-related issues for as long as they can to delay any progress from happening during session. Commission advised when they come in to conduct business, they know that they are here to do what is best for the tax payers/citizens in our county.

Collector Faith Barnes entered at 9:48 am.

Discussions were had referencing the changes needed to the abortion laws to allow the victims of the violent crimes to have the option to abort a pregnancy if it was a result of that violent crime. Further discussion was had on the term limit needs to be within the first trimester and that there should be mandatory counselling for any woman obtaining an abortion.

Barnes left at 9:55 am.

Discussions were had on how society seems to refuse to work together to solve any issues because they are all so close minded with their opinions. Further discussions were had on how elected officials need to remember there is no I in Team and they were elected to do the best job possible for the citizens instead of bringing their own personal agendas to office.

The focus reporter left at 10:30 am.

In the matter of
Commission minutes:

Commission reviewed, made edits and approved minutes for September 7th and 12th.

In the matter of
Accounts payable:

Commission reviewed and approved invoices in the amounts of \$49,216.56 for A - L and \$77,724.53 for M - Z.

Mrs. Houser entered at 11:13 am. Ray Schwartz left at 11:14 am.

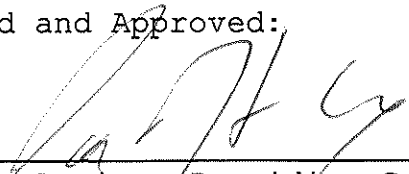
In the matter of
Citizen Input:

Houser advised commission there is someone bulldozing off a property and they are making a huge mess and causing destruction to the area. Discussions were had on the intent of the property being a potential for a trailer park. Further discussion was had on the fact that there would have to be a permit obtained by DNR to infiltrate a new Septic system to hold the sewage from the trailers if that is what the property owner is planning to do. Commission advised any neighbor in that area needs to contact DNR and let them know their concerns.

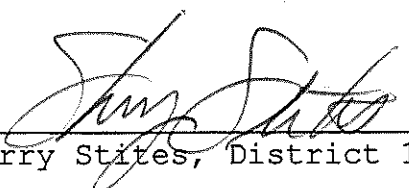
In the matter of
Citizen Input:

Gail Burnett called commission and was placed on speaker. Mrs. Burnett asked commission if they have lowered their taxes yet. Commission explained how the SB 190 works to Mrs. Burnette and discussions were had on the matter.

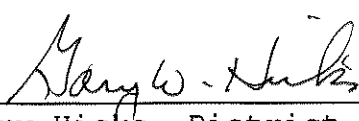
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record

September 26, 2023 Twenty-fourth Day of the July Term

Now at this 26th day of September, the Commission met pursuant to adjournment and a quorum was present of the following members:

Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

Deputy Clerk Hudson took notes.

In the absence of the Presiding Commissioner, Deputy Clerk Hudson moved to appoint Commissioner Hicks as acting presiding Commissioner, Commissioner Stites seconded, motion carried.

IN THE MATTER OF
MERAMEC REGIONAL PLANNING COMMISSION ANNUAL DINNER:

The Commission reviewed and approved \$160 for four attendees - the Presiding Commissioner and his wife, and the District 1 Commissioner and her husband - at the annual Meramec Regional Planning Commission dinner.

IN THE MATTER OF
COMMISSION MINUTES:

The Commission reviewed and approved minutes from mid-September meetings with one minor grammatical correction.

IN THE MATTER OF
COUNTRY CLUB ROAD RAILROAD CROSSING:

Commissioner Stites has investigated, with the aid of citizen input, signage for the railroad crossing on Country Club Road. Commissioner Stites will be contacting the railroad division of MoDOT to request additional signs, as this crossing is on an incline, obscured by trees on the west side, and has little signage to alert drivers.

IN THE MATTER OF
TRAFFIC SPEEDING CONCERNS:

Commissioner Stites has been in contact with the Sheriff about numerous citizen complaints of speeding traffic on Old St. James and Country Club Roads. The Sheriff's Department plans to increase patrol at these locations.

The Sheriff entered at 9:26.

IN THE MATTER OF
JAIL RENOVATIONS - CHANGE ORDER:

The Commission reviewed a change order for HVAC security grates at the Sheriff's Department, on Commissioner Stites's motion. The renovations proceed over a million dollars under budget.

IN THE MATTER OF
JAIL COMMISSARY:

Discussion was had of the jail commissary system. The Sheriff explained that inmates pay for access to items such as e-books and phone services that are not required to be provided by law.

IN THE MATTER OF
CORONER'S PAY:

The Commission reviewed and signed a letter to the Treasurer memorializing its previous vote of a month's funds to the Coroner under 58.095.5 RSMo.

IN THE MATTER OF
JAIL AND DOC FACILITIES:

General discussion was had of jail and DOC capacity and staffing.

The Collector entered at 9:52.

IN THE MANNER OF
COURTHOUSE HIGH SCHOOL TOUR:

The Collector announced that a St. James High School government class will visit the Courthouse October 24.

The Collector left at 10:02.

IN THE MATTER OF
PROPERTY TAX ADJUSTMENTS:

The Commission reviewed and approved the addition of a late assessment fee on tax certificate 2174.
The Commission reviewed and approved adjusted tax certificates 2176, 2177, 2178, 2179, and 2180.

The Treasurer entered at 10:45.

IN THE MATTER OF
CART TAX UPDATES:

The Treasurer provided CART tax summary spreadsheets. Revenue is up from the previous year by 21%.
The history of CART taxation structure was briefly discussed.

IN THE MATTER OF
ACCOUNTS PAYABLE / PAYROLL:

The Commission reviewed and approved invoices in the amounts of \$395,631.89 for A - L, \$95,700.00 for M - Z and County Payroll in the amount of \$236,865.78.

Tyler Kiersz of Family Heritage entered at 11:18.

IN THE MATTER OF
FAMILY HERITAGE:

Mr. Kiersz told the Commission about the Globe Life Family Heritage program, which offers policies for employees of entities for cash payouts in the event of cancer or cardiac episodes (30-day wait time), or ICU admission (effective immediately). This program is not required to be administered by payroll departments, follows an employee, and the employee owns the policy as long as premiums are paid.

Mr. Kiersz showed the Commission a short electronic presentation. The plan policies are based on age and a series of questions from the plan representative, do not require blood tests or a medical examination.

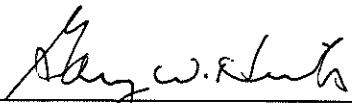
The Commission encouraged Mr. Kiersz to contact the employee benefits fair coordinators to see if his company is eligible to provide information and literature to County employees.

Hearing no other business announced, the Commission adjourned at noon.

Read and Approved:



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

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Phelps County Commission Record
September 28, 2023 Twenty-fifth Day of the July Term

Now at this 28th day of September, the Commission met pursuant to adjournment and a quorum was present of the following members:

Sherry Stites, District 1 Commissioner
Gary Hicks, District 2 Commissioner

Deputy Clerk Hudson took notes.

In the absence of the Presiding Commissioner, Deputy Clerk Hudson appointed Commissioner Stites as acting presiding Commissioner.

Payroll Clerk Lisa Dowdy and Accounts Payable Clerk Bethany Hawkins entered at 9:02 followed by the County Clerk Laura Johnson at 9:05.

IN THE MATTER OF
CORNER'S PAY:

Payroll has asked what account to use to pay the Coroner for a mass-casualty investigation in August pursuant to 58.095.5 RSMo, as already approved by the Commission (see 9/26 minutes). The Commission advised this will be drawn from the Emergency Fund. An end-of-year budget amendment will reconcile the withdrawal with the Coroner's budget. The County Clerk and Mses. Dowdy and Hawkins from Payroll and Accounts Payable briefly described the process for coding and annotating these account transfers for clarity in the County's financial journals.

Mrs. Dowdy, Hawkins and Johnson left at 9:15.

IN THE MATTER OF
ROAD VACATION:

Commissioner Stites followed up with individuals petitioning for road vacations to remind them of their scheduled appearances before the Commission. These individuals are on the October 5 agenda.

Support Services Sissy Korich entered at 9:24.

IN THE MATTER OF
COUNTY MEDICAL INSURANCE:

The Commission reviewed and approved \$130,174.20 in payments to the partially-self-funded employee medical insurance program.

IN THE MATTER OF
COURTHOUSE ELEVATOR RENOVATION:

Ms. Korich gave an update on the courthouse elevators: there is a 20-week projected timeline for drawings and review of renovation plans at present. This project is scheduled for

completion in 2024, after security and HVAC cooling tower updates.

IN THE MATTER OF
COURTHOUSE SECURITY:

Metal detectors have arrived. The Courthouse will also get an x-ray machine to inspect personal property such as purses, and contracted security will be trained on its use.

IN THE MATTER OF
REPLACEMENT COOLING TOWER:

The replacement cooling tower for the Courthouse air conditioning system has not yet shipped, but it is still expected for installation in November. A crane will be used, and the north 10-minute parking lot will need to be closed while the tower is lifted into place.

IN THE MATTER OF
MARIJUANA TAX REVENUE:

It was mentioned that the first marijuana tax revenue information is expected in October. This data will assist in preparing projected figures for financing security.

IN THE MATTER OF
NARCAN VENDING MACHINE:

Brief discussion was had of possible locations for a NARCAN illicit drug antidote vending machine at the Sheriff's Department.

Ms. Korich left at 9:55.

IN THE MATTER OF
COMMISSION MINUTES:

Minutes from the September 19 and 26 meetings were reviewed and approved with the addition of a clarifying term regarding HVAC renovation.

IN THE MATTER OF
MERAMEC REGIONAL PLANNING COMMISSION GRANT REQUEST:

On motion of Commissioner Hicks, an MRPC request for \$2,000 in administration fees from a community development block grant for Senior Connections was approved and signed.

IN THE MATTER OF
ROAD AND BRIDGE DEPARTMENT UPDATES:

Road and Bridge Superintendent Mark Case was contacted by phone for department updates as he was in the field preparing equipment and unable to attend the meeting. Case advised County Road 7520 is being prepared for asphalt next week and the

Chip and seal and sweeper machines were put away yesterday. One part-time employee was upgraded to full-time in the Department, starting in the October pay period. Roofing on the new Road and Bridge facility is expected to begin as early as next week; however, insulation requirements might possibly cause delay. Metal sections require at least 3 days of dry weather.

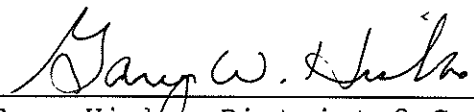
A new salt shed is also being prepared; the remaining salt in the old shed will be left there for loading and road application, and new deliveries will be stored at the new shed. A new speed limit sign has been received, and will be painted and placed on Country Club Drive shortly.

There being no other scheduled business, and hearing no other business announced, the Commission adjourned at 10:20.

Read and Approved:



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

