

Phelps County Commission Record

April 2, 2024 First day of the April Term

Now at this 2nd day of April, 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

Also present were Jerica Holtsclaw, Troy Hughes and Greg Leary from MODOT; Faik Hajderovic, Frank Weatherford and Cheryl Ball from TranSystems and local residents Tyson Hash and Kathy Heflin.

In the matter of
Railroad Crossing safety updates with MODOT and TranSystems consulting:

Troy Hughes approached commission to discuss some of the dangerous railroad crossings in Phelps County. Mr. Hughes advised putting up lights and crossing arms cost roughly \$400,000 a crossing. Further discussions were had on Missouri having roughly 30-40 crossing accidents a year. Mr. Hughes advised any design updates on railroad crossings take 1-2 years to implement. Frank Weatherford advised the crossing located at CR 3590 is a horrible crossing with an incline and curve making it dangerous. Mr. Weatherford advised he is looking to close that crossing and presents a few proposed options on a new location. Option A comes in at a cost of \$1,663,355.00. Commission advised the property owner at NAPA would more than likely be on board with making that private crossing a public crossing.

Collector Faith Barnes entered at 9:21 am and left at 9:24 am.

Mr. Weatherford presents commission with Option B that comes in at a cost of \$944,561.01. Discussions were had on potentially combining the 2 options to make a better option. Commission asked if MODOT would be funding this project and then the county taking over maintenance once the project is finished. Discussions were had on seeing if there is a potential for partnership between MODOT, BNSF and the County.

Mr. Hughes advised the next step would be for the county to hire an engineering company via an RFQ bid and seeing what Federal Grant money is available for these types of projects. Bottom line Tan System is looking to eliminate a horrible crossing and make it safer for the citizens in that area. Mr. Hughes advised this would not be a MODOT project, it would be subcontracted, MODOT is simply there to provide the funding. Mr. Hughes advised MODOT would pay for the engineering and the project with grant funding.

The Focus Reporter entered at 9:55 am.

Mr. Weatherford presents option for the Rosati crossing. Discussions were had on the parked rail cars on both sides of

the tracks in the area of the crossing and the elevation of the crossing not having sufficient space available for even 1 car. Option 1 would be to raise the road coming up to the crossing to change the grade and help with visibility and this would cost roughly \$5-6 million.

Mr. Hash and Ms. Heflin left at 10:00 am.

Discussions were had on the foliage that is surrounding the area leading to further visibility issues. Further discussions were had on the potential of moving the parked cars to a different location. General discussions were had on whether it could be closed down and commission advised against that due to the businesses in that area.

Option 2 would be to reroute traffic, close 2 crossings and create a bridge crossing that is much safer than the 2 current crossings and would cost roughly \$12 million. This would potentially create the option to add on and off ramps at the U highway bridge as well. Discussions were had on this project qualifying for federal grants because it would close 2 unsafe crossings.

Further discussions were had on potentially needing to add lights at a railroad crossing off of CR 7030, CR 7530 and CR 7560.

Road and Bridge Admin Assistant Michelle Bock entered at 10:26 am.

In the matter of
Contract Hauling Bids:

Bid opening was delayed due to the Railroad safety updates needed in the county. The singular bid received from R & C Trucking was opened at 10:37 am. The bid came in at \$125 an hour for hauling. Commissioner Stites moved to award R & C the contract hauling bid, Commissioner Hicks seconded, motion carried.

In the matter of
Asphalt bids for Parking lot:

Bid opening was delayed due to the Railroad safety updates needed in the county

Pierce Asphalt Bid was opened at 10:43 am. The bid came in at \$232,060.00 for 3 inches of asphalt on light duty areas and 4 inches on heavy duty places and also striping parking spaces once asphalt is laid.

Meyer Asphalt Bid 3" was opened at 10:47 am. The bid came in at \$297,000.00 for 3 inches of asphalt and striping parking spaces once asphalt is laid.

Meyer Asphalt Bid 4" was opened at 10:48 am. The bid came in at \$360,000.00 for 4 inches of asphalt and striping parking spaces once asphalt is laid.

Due to conflict of interest Commissioner Stites sustains from voting on the asphalt bids. Discussions were had on the received bids and the bids not being comparable. Commission has decided they need to reach out to both companies and request additional information after giving more detailed specifications to make this a fair decision.

Commission called both companies and explained the detailed specs that are needed for comparable bids to be voted on fairly. He explained they want a 1 inch base and 2 inch lift.

Support Services Director Sissy Korich and assistant Amy Asberry entered at 10:57 am.

In the matter of
Bailiff office remodel:

Korich advised she reached out to MVE to see about a different configuration for the office to be better utilized and she presented the commission with a plan. The plan includes 6 new desks built to specs of the room and new chairs. Commissioner Hicks moved to approve the remodeling updates to the total of \$3,035.00, Commissioner Stites seconded, motion carried.

In the matter of
RFP questions for Building maintenance:

Discussions were had on the need for RFP bid to go out to update our current technical system utilized for security purposes.

In the matter of
County pet policies:

Asberry advised she called several court houses and were advised that none of them have a policy in place against employees bringing in pets. Asberry did some digging online since no courts she called had anything in place. She provided commission with what she found and left it up to them to put something in place along the guidelines found. Commissioner Hicks advised to add on to option one that no state or federal law requires employers to allow emotional support animals.

In the matter of
Trauma kit for Court House:

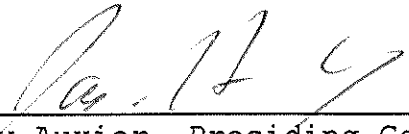
Bailiff Arnold presents commission with invoice to purchase a trauma kit for the court house. Discussions were had on where the cost should come from to cover this purchase. County Clerk decided to pay for the trauma kit out of her fund as this would be a necessity to the service of the citizens that visit the courthouse and not qualify for use under courthouse security funds.

In the matter of
Financial Statement publishing Invoice:

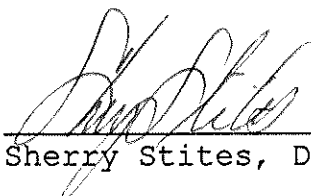
Hicks moved to approve the invoice in the amount of \$2,994.00
for publishing of the county financial statement, Commissioner
Stites seconded, motion carried.

Hearing no other business commission adjourned at 12:00 pm.

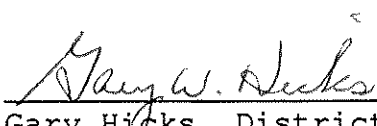
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
April 4, 2024 Second Day of the April Term

Now at this 4th day of April, 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

Also present were Carol Green, Greg Stratman from CDBG board, Kelly sink from MRPC and local resident Pam Grow.

In the matter of
CDBG Council Public Hearing for close out of grant:

Discussions were had on the new Senior Connections Center that has been funded through a CDBG grant. To finalize this project, they explained they have to have a public hearing that's open for comments and then send out an RFF before they can close out the project. General discussions were had on the tremendous help from the local business men and women. The board feels that

Grow asked the board what kind of transportation will be available to the community as she has heard this is a concern from members of the public. Stratman advised they are partnering with SMTS to create routes for the citizens in need and they will also have a van to make transportation available. Further discussions were had on the board looking at transporting meals to citizens at the towers that are unable to attend the facility events. Green advised Aging Best is going to do everything they can to take care of the Senior Citizens in the community.

Discussions were had on the former skating rink building that was previously purchased that would have cost millions to renovate and create a proper facility for the seniors. By purchasing the old Matts Steakhouse building they were able to save millions and keep the process on track for opening sooner rather than later. The big banquet room in the back of the building will now be a thrift store.

They are projecting to have the Store side opened by May 1, 2024.

Commissioner Auxier advised he runs into acoustic tiles all the time on construction sites that are given away and he will keep the senior center in mind if they would like those to assist with dampening the noise levels.

The Focus reporter entered at 9:22 am followed by local resident Mr. Sajal Das at 9:23 am.

Ms. Grow, Ms. Green, Ms. Sink and Mr. Left at 9:28 am.

Public hearing was closed at 9:27 am.

In the matter of
Real estate tax fees:

Mr. Das advised commission he had to leave the country to take care of his aging mother in India and was unable to pay his taxes. Due to this he was charged \$675 in late fees/penalties and would like to see if these could be waived as he has never paid his taxes late and this was an unforeseen circumstance. Commission advised they do not have any say on taxes and advised Mr. Das to reach out to the State Tax Commission to see if anything can be done on waiving these fees.

Mr. Das left at 9:35 am.

In the matter of
Duke Fire ARPA FUND drawdown:

Commission reviewed the proposed first draw down of obligated ARPA funds to Duke Fire. Commissioner Hicks moved to approve the payment of \$14,710 for Duke fire, Commissioner Stites seconded, motion carried.

Collector Faith Barnes entered at 9:53 am.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of \$158,649.86 for A - L, \$43,839.48 for M - Z and \$20,408.68 for Contract Pay.

Ms. Barnes left at 10:03 am.

In the matter of
County HR Department:

Discussions were had on the need to establish a defined HR department to administer and oversee matters pertaining to the employees of Phelps County to include payroll, benefits and establishing procedures to resolve complaints. Clerk Johnson advised this needs to be a department that is not tied in with any other elected official so it remains a true separated HR department for all county employees to utilize.

Connor Arcobasso from GFI entered at 11:33 am.

In the matter of
GFI sales representative:

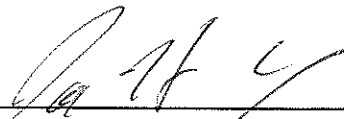
Connor advised GFI is a locally owned Missouri business that services a majority of the state. He noticed we are utilizing Ricoh and advised that GFI purchased most of Ricoh districts except for a handful of local county governments. He provided commission with his business card and explained he is here to serve if we ever look at changing companies down the road.

In the matter of
McCracken Project:

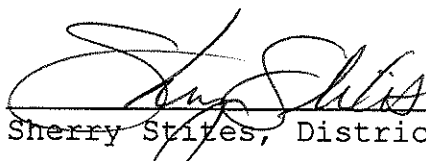
Jennie Reigel with Jason Smiths office called in to Commission and was placed on speaker phone. Commissioner Hicks advised there is a project in the works involving critical minerals and materials. Discussions were had on the United States currently purchasing these minerals and materials from China. Hicks advised the McCracken Core Library would be able to store, catalog and analyze these core samples with DNR and the S&T University in partnership. Hicks advised there is a need for the state budget to be increased to the original 5.3 million of ARPA to be able to move this project forward through the Senate. Reigel asked commission about the current facility being utilized and commission advised the current facility off Twitty Drive is a leased property. Further discussions were had on the reason to move the facility to Fairgrounds Road would put them at close proximity to DNR and S&T and would provide a space for the x-ray Diffractometer. This would create a location to be able to closely work with DNR, S&T and the mining companies that would come to the area. Further discussion was had on utilizing old mining areas and cleaning those up to be able to assist with economic development for the state.

Hearing no other business commission adjourned at 12:00 pm.

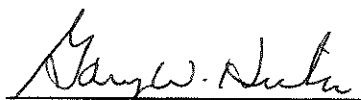
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stiles, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record

April 9, 2024 Third Day of the April Term

Now at this 9th day of April, 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

Also present was Treasurer Cathy Tipton.

In the matter of
CAP (Corrective Action Plan) discussion:

Discussions were had on the SEFA corrective action plan audit finding. Tipton advised commission the specific CAP advised we need to reconcile with our general ledgers frequently. Further discussions were had on each office holder needing to be responsible for reporting the expenditures they are utilizing on a monthly basis. Clerk Johnson advised if we do not correct this problem eventually down the line we will be denied grant funding. Commission advised we need to send out an email requesting a meeting on getting a process in place to properly track these expenditures of federal and state funds.

Discussions were had on the Suspension and Debarment corrective action plan audit finding. Commissioner Hicks advised we can request our engineer company to check the debarment status on any project's contractors are doing for the county. Discussions were had on creating an "Open Projects Folder" to keep better track of these projects. Commissioner Hicks pulled up Missouri Department of Labor and Industrial Relations website and searched Debarment that brought up a list to review.

County Clerk advised she would send out an email to all office holders requesting to know who handles state and federal grants. Treasurer Tipton advised she would reach out to some other 3rd class county treasurers to see how they handle the reporting of SEFA.

Bailiff Reeder and Bailiff Arnold entered at 9:21 am followed by local resident Chester Kojro @ 9:28 am.

Tipton left at 9:30 am.

In the matter of
Courthouse hours:

Due to all offices within the courthouse now closing at 4:30 pm bailiffs advised they need to know what to advise the Security detail. Commission advised to let them know since all offices are now going to be closing at 4:30 pm then they will not need to stay till 5pm.

In the matter of
Multipurpose room:

Bailiffs advised commission from a liability stand point for the county they would suggest putting in a surveillance camera in the Multipurpose Room. Commissioner Stites advised we should make people utilizing the room provide a certificate of liability insurance in order to rent the room and sign a contract.

Reeder and Arnold left at 9:52 am.

In the matter of
Long Beach Train Port:

Discussions were had on the GORAIL project. Commissioner Stites moved to show support of this project, Commissioner Hicks seconded, motion carried.

Kojro left at 10:27 am.
Tipton reentered at 10:54 am.
Fox entered at 10:59 am.

In the matter of
Individual tax revenues reporting:

Tipton explains that according to DOR to protect confidential information you can not share tax totals if there are less than 6 entities involved within your county. Tipton advised she also reached out to the state auditor's office who advised we contact legal counsel and recommended we keep it in our software how we have it but each commissioner needs to fill out a form 4379 and keep it on file with DOR. The auditor's office also advised per sunshine law requests you need to reach out to your legal counsel for direction in answering these requests. Fox advised if commission plans to discuss the tax they need to be in a closed session to comply with DOR. Fox advised anyone asking for this information we need to reply with "sorry but that is a closed record".

Collector Faith Barnes entered at 11:06 am and left at 11:13 am.
Commissioner Stites left at 11:13 am for a prior engagement.
Fox left at 11:20 am followed by Tipton at 11:25 am.
Health Department Director Ashley Campbell entered at 11:31 am.

In the matter of
Health Department budget:

Director Campbell advised she made a mistake on her budget form with the cash on hand at the end of 2023. Campbell provided County Clerk Johnson with reports to due a budget amendment.

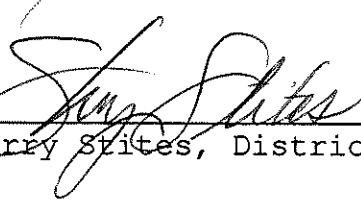
Campbell left at 11:47 am.

Hearing no other business, the commission adjourned at 12:00 pm.

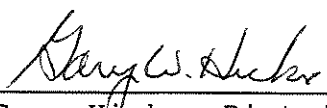
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

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Phelps County Commission Record
April 11, 2024 Fourth Day of the April Term

Now at this 11th day of April, 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

Also present were the Focus Reporter. The reporter left at 9:12 am.

Jim Hasty from SCE Inc. entered at 9:13 am.

In the matter of
DOR request form:

Commission and county clerk filled out the request to obtain tax information reports.

Jeff Banderet with Great Rivers Engineering entered at 9:38 am followed by Mindy Brenneke with Brenneke Construction at 9:43 am, Jason Petty with BuildTec at 9:44 am, Road and Bridge Supervisor Mark Case, Admin Assistant Michelle Bock and Paul Mezei with SCE, Inc. at 9:46 am.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of \$84,361.45 for A - L, \$112,813.20 for M - Z and \$22,575.65 for UMB Bank Westside TIF.

Sheriff Mike Kirn entered at 9:54 am.

In the matter of
BRO Bid opening:

SCE inc opened at 10:00 am total project amount came in at \$460,350.06.

Brenneke Construction opened at 10:02 am total project came in at \$470,727.60.

BuildTec Construction opened at 10:05 am total project came in at \$429,505.00.

WPBG opened at 10:06 am total project came in at \$658,000.00.

Discussions were had on the lowest bidder being BuildTec and the second lowest bid being SCE Inc. Banderet advised the 2 lowest bid companies to submit further documents (DBE form and Subcontractor disclosure form) that are needed for MODOT to review and before one of them can be awarded the bid.

Brenneke, Petty and Banderet left at 10:11 am.

Local resident Kevin Greven entered at 10:13 am followed by Collector Faith Barnes at 10:14 am.

In the matter of
Sheriff's Department news:

Kirn advised commission we have a significant increase in thefts that are coming out of other states and large metropolitan areas. He advised commission he is looking into Flock system which is the cameras that are located along the interstate. He advised by utilizing this system they were able to track down the suspect involved in the ATM thefts that was found in the State of Texas. He explains there is a big bubble of no coverage from parts of Rolla to Springfield. He advised he is looking into additional cameras that would cover the blind areas with in the highways of our community. Further discussions were had on this AI system being very beneficial to those affected by the thefts. He further advised this system would be extremely beneficial for not only victims of crime but assist law enforcement in tracking down the suspects. Further discussions were had on Flock being responsible for contacting MODOT to gain use of poles and FLOCK would be responsible for maintenance.

Coverdell entered at 10:29 am.

In the matter of
Morgue discussion:

Commission asked sheriff if he intends to build the Vehicle maintenance shed anytime soon. Sheriff advised it will be at least a few years before that project would start. He explained that he would like to purchase a little more property in the area to be able to expand. He discussed potentially using the existing foundation that is in the parking lot off of N Park street. Commission advised they would like to see the sheriff allow for a section of this building to house a morgue for the county coroner. Sheriff advised it would depend on the cost entailed in making additional accommodations. Commission advised they would potentially supplement the costs associated if he would consider allowing an addition with a separate entrance for a coroner office and county morgue. Sheriff advised until he pays off the current debt of the Jail expansion project he will not be starting construction on the vehicle maintenance shed.

The coroner advised he is receiving kick back from public because he is taking bodies to the Rolla crematory instead of the funeral homes because they do not have room at the funeral homes. Commission advised to tell the Funeral Homes to purchase additional morgues if they want the coroner to utilize their funeral homes to store bodies. Commission advised they would like to revisit this matter next year prior to budget so they can see if there is room for budgeting the cost of creating a county morgue for the coroners use. Sheriff advised most of these funeral homes have transport companies and the funeral homes need to be transporting these bodies to what ever crematory they have a contract with as it should not fall on the county coroner to travel with all these deceased.

Case and Bock left at 10:54 am.

Commission advised we unfortunately are going to need to wait on transport from the funeral home that the family chooses to take their deceased to. Coroner' advised he is fine with that but he is needing to know what to do with the deceased that do not have close family that cause issues. Commission further reiterated that unless these funeral homes that are complaining need to purchase more coolers to create room for these deceased instead of just complaining and accusing the coroner of playing favorites. Greven advised he suggest the coroner have a meeting with all funeral home directors present and explain they need to provide more coolers if they want the business of the county as they are making money off of deceased and they could recoup their costs in roughly 3 funerals.

Tonya Greven from BPJ entered at 11:02 am. Sheriff left at 11:06 am. Kevin Greven left at 11:18 am.

In the matter of
UMR Summary of changes:

Ms. Greven advised the summary of changes is the same as last years with the exception of some may, shall verbiage. Commissioner Hicks moved to approve the plan of amendments for UMR, Commissioner Stites seconded, motion carried. Greven advised commission there needs to be a designated HR person to avoid a lawsuit in the future. Commission advised they would like to see someone hired that has a degree in Human Resources. Greven advised UMR caught a mistake from a hospital that was continuing to bill for a past employee and now we are receiving a \$37,000 credit to the counties partially self-funded insurance account.

Bailiffs Reeder and Arnold entered at 11:24 am. Ms. Greven left at 11:37 am.

In the matter of
Courthouse alarm system:

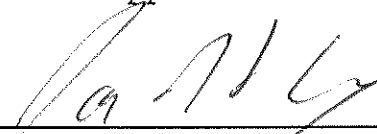
Reeder advised they have moved the system box for the panic buttons up to the Bailiffs room. This morning the bailiffs had 3 alerts that 3 buttons were not checking in/reading that they are communicating. It was discovered that the system needs a repeater to be able to have all buttons fully functional and this will cost the county roughly \$700.00. Commission advised they should purchase 2 so that we have it to cover if the county would ever expand offices.

In the matter of
R & B Fuel bid solicitation:


Commissioner Hicks moved to approve the fuel bid solicitation for road and bridge, Commissioner Stites seconded, motion carried.

Hearing no other business, the commission adjourned at noon.

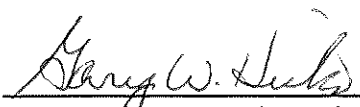
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hacks, District 2 Commissioner

Phelps County Commission Record
April 16, 2024 Fifth Day of the April Term

Now at this 16th day of April, 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

Collector Faith Barnes entered at 9:12 am.

In the matter of
Amish Courthouse Tour:

Barnes advised the tour was a no show.

In the matter of
Private Drive 2305/ Kenny Lane:

Local resident Beth Boultes called in to commission to express her concerns about what Mr. Scott White is doing with his property. Ms. Boultes advised Mr. White is not doing what he presented to commission a few years ago and wants to know what can be done. Commission again advised she needs to hire an attorney to solve this matter. Commissioner Auxier advised according to state laws Mr. White can do what he wants on his property as it is his property and the county does not have any planning and zoning laws. She asked if they could put up a gate on the Private Drive and commission advised no as it would prevent emergency services access to the neighbors and again advised she needs to hire an attorney to resolve this matter.

Barnes left at 9:28 am.

Chester Kojro entered at 9:29 am.

In the matter of
MODOT Rail discussion via zoom:

Frank Weatherford and Faik Hajederovic from TranSystems joined the commission meeting via zoom. Commission advised they spoke with the property owner of the location that MODOT was looking at purchasing for upgrading railroad crossings in the St. James and Rosati areas. Commission advised they forwarded the property owners plans to Mr. Weatherford and Mr. Hajederovic and asked them to see if that plan was possible. If that would be a potential plan Commission would like them to present that in a commission meeting so it can be taken to St. James council for approval. MODOT advised they can explore this plan going to the west and would run specs on what size bridge would need to be put in from this plan and then run a cost estimate. Mr. Weatherford asked if there would be any problem with sending a team out to follow the electric lines in that area to scope out the presented plan. Discussions were had on potentially being

able to partner with Intercounty Electric by utilizing this plan. Mr. Hajederovic shared images on the ravine that would need to have a bridge constructed and advised it would be roughly a 4% grade and would suggest tying in to the existing road to this new one and that would create a need to build a retaining wall on one of the neighboring properties.

Barnes reentered at 9:50 am.

In the matter of
Contract change for Collectors Office:

Barnes advised she received a sales quote from GFI that would save the county a lot of money. She advised her current contract with Business Services is getting very expensive and she feels like they are not providing the best services. Barnes advised GFI is already on the States Bid list so she would not have to go out for bid to make the change. She further explained she is currently having to cut 3 different checks every month for her current contract and this would be 1 check a month saving further money for the county.

Campbell entered at 10:00 am. Barnes left at 10:00 am.
Judge Clayton and Kevin Greven entered at 10:02 am.

In the matter of
Invitation to Speak:

Judge Clayton invited commission to attend the Lions Club Luncheon and to speak to those present about current business in the county.

Clayton left at 10:12 am.

In the matter of
Health Department Contracts:

Workforce contract for a year extension.
Core contract for a year.
Commissioner Auxier reviewed and approved the contracts for the health department.

Assessor Kean entered at 10:13 am. Campbell left at 10:15 am.

Local residents Gloria Alvarez, Kenneth Leuey, Jose Figueroa, Anthony Swartzendruber and Jeanie Swartzendruber entered at 10:22 am.

In the matter of
Bridge in Beulah off Private Drive 6535:

Ms. Alvarez advised there is a problem with a bridge that needs to be fixed. She advised when there is flooding, they are worried that someone is going to lose their life if this bridge

is not fixed. Ms. Alvares presents commission with pictures of the bridge to see the state of the bridge. Mr. Swartzendruber advised he created a low water crossing so the residents have a safe way to pass and get to their property. Commission advised the LLC that bought and is selling the lots is extremely hard to get ahold of and further explained that there is legislation in the works to prevent this LLC from conducting business the way it is. Commission also advised they informed the LLC 5 years ago that they would be open for a lawsuit if emergency services is unable to reach a land owner because of an unsafe bridge. Commission further advised the residents that they need to contact the attorney general Andrew Bailey and their State Representative Bennie Cook to get this matter resolved. Commission advised these residents that Phelps County is not responsible for this Private Drive as the builder did not follow the County Road specs that are in place therefore commission never accepted the subdivision or the road. Mr. Leuey advised Commission to look at Section 23 and asked if there could be a new road created off K Hwy from that corner. Commission advised the residents they would have to speak with the other property owners in that area and see what they could all agree upon. Commission advised the best solution in this matter would be to contact the Attorney General to force the LLC to provide a safe road for the residents that purchased property from them. Commission further advised ALL the residents on this road need to go to the attorney general and file a complaint in order to get this matter attention and resolved. Commissioner Hicks further advised to have the attorney general contact him directly on this matter as he is familiar with the ongoing issues, has contacted the LLC and the LLC is not responsive.

Kevin Greven left at 11:14 am followed by Ms. Alvarez, Mr. Leuey, Mr. Figueroa, Mr. Swartzendruber and Mrs. Swartzendruber at 11:17 am.

In the matter of
Coroner Compensation per RSMo 58.095(5):

Commissioner Stites moved to approve the request from Coroner Coverdell for payroll addition of funds pursuant to RSMo 58.095(5) due to a fire on 03/03/2024 where 3 members passed at the scene, Commissioner Hicks seconded, motion carried.

In the matter of
ARPA request #2 for Duke Fire:

Commission reviewed and approved request #2 for draw down of obligated funds to Duke Fire in the amount of \$46,534.79.

Superintendent of Road and Bridge Mark Case entered at 11:47 am.


In the matter of
Quarry Trail Subdivision:

Case advised he had another total walk around with the new subdivision head and 5 other residents to see what needs to be

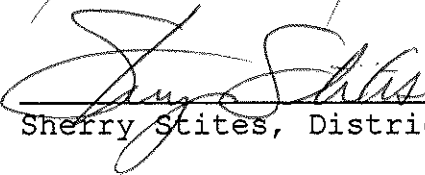
done to bring this subdivision up to county specifications..
Discussions were had on the findings and there is one property
owner that wants a letter advising she is able to create a ditch
line to divert the water back around the back side of her
property due to a gas pipeline being too close to where she is
needing to put in a culvert. Stites advised in the letter we
would need to state that they would support the ditch as long as
it follows specs and is approved by commission and or the road
and bridge superintendent.

Hearing no other business commission adjourned at 12:05 pm.

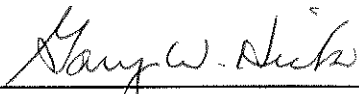
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
April 18, 2024 Sixth Day of the April Term

Now at this 18th day, 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

In the matter of
MRDC report:

Commissioner Hicks gave a report of the most recent meeting held for the Meramec Regional Development Corporation that was held on April 17, 2024.

In the matter of
Asphalt bid review and awarding:

Meyer 3 inch (single lift) totaling \$243,800
Meyer 4 inch (2 inch base w/ 2 inch lift) totaling \$294,000

Pierce 3 inch (single lift) totaling \$201,500
Pierce 4 inch (2 inch base w/ 2 inch lift) totaling \$242,600
Additional cost for striping is \$6,200.

Discussions were had on the 2 companies that submitted bids and what would be the most beneficial to obtain a long-term parking lot.

Commissioner Stites moved to award the bid to Pierce Asphalt for the 4 inch proposal, Commissioner Hicks seconded, motion carried.

In the matter of
Great River Engineering call:

Jeff Banderet called in to commission to give update on the BRO projects in the county. Banderet advised he just sent an email advising of the soft match funding available. Further discussions were had on what the county can do on smaller bridges that are not mandated by the state. Discussions were had on the lowest bid from last Thursday and the bad news of the deal is that Buildtech did not meet MODOT requirements so commission advised they will go with the second lowest bidder, SCE, Inc., of that day who did meet requirements. Commissioner Stites moved to award the second lowest bid to SCE, Commissioner Hicks seconded, motion carried.

Ken Schmid from First Assembly of God entered at 9:57 am followed by Support Services Sissy Korich and Amy Asberry at 9:58 am.

In the matter of
IT Services bid opening:

Alliance was opened at 10:03 am reference the RFP Submission packet page 19-23 for the totals and services provided for each total.

Winning Technologies was opened at 10:09 am reference page 35-36 for totals and services provided for each total.

Discussion was had and it was decided to take under advisement. Commissioner Hicks advised to take under advisement, Commissioner Stites seconded, motion carried.

Asberry, Korich and Schmid left at 10:18 am.

In the matter of
Quarry Trail phone call:

Local resident Mike Salazar called into commission and advised the road department has come out and started marking things that need to be repaired but he advised these are now different things besides what was discussed. He advised this is concerning to him and he feels like the home owners are now being taken advantage of and that the road department is going to continually change what is expected prior to the county accepting the roads. Commission advised they received a report from the Road department Superintendent and he was concerned that the residents are not understanding what needs to be done in order for the county to accept the subdivision.

Sheriff Kirn entered at 11:00 am followed by local resident Debbie Hedgepeth at 11:01 am.

Sheriff left at 11:02 am.

In the matter of
Quarry Trail Continued:

Debbie advised first she would like to say she really likes Mark and Michelle and appreciates their time on this matter. She advised that she feels there are more things that came up in the last walk through that were not on the original walk through. Commission advised the developer is the one that is responsible for all the problems in the Quarry Trail subdivision. Commissioner also advised they tried to inform Mr. Sowers (the developer) of the things that need to be corrected in order for the county to maintain the roads. Ms. Hedgepeth advised she feels the home owners are all being taken advantage of. Commission pulled up the GIS map of the subdivision and pointed out where some home owners have filled the ditch lines in and laid grass which now affects the storm water drainage and is not up to county road specifications. Ms. Hedgepeth advised no one notified her of the county right of way being half way through their yard and further advised her property lines weren't even documented correctly. Commission advised if the home owners can dig the 3-foot ditch (at least 3 feet from the edge of the road) to allow for storm water drainage the commission will be happy with that and Ms. Hedgepeth needs to move her sprinkler system

that is too close to the road. She advised she is already planning to relocate her sprinkler but needs clarification on what the ditch specs are. Commission advised that legal action may affect a resolution. Ms. Hedgepeth advised she has spoken to an attorney and they are not going to take the developer to court and they just need direction from commission in written form. Commission further advised the one that the home owners have to deal with is Mark Case. Commission further advised when talking to Mark a few days ago that he did say I may not have worded things the same way but I just don't think the owners understand what all needs to happen. Commission further advised moving forward each homeowner needs to meet with Mark and Michelle from Road and Bridge and have Michelle take notes along with the homeowner so commission can have documentation of what was said to prevent the he said she said issue they currently have going on. Ms. Hedgepeth advised she is worried that home owners in quarry trail will leave because of the roads being undesirable and the home owners needing to pay the costs associated to fix them. She advised they came from St. Charles and Ozark where the county inspects the builds so there is a big difference in specs and road conditions and she understands that this is the "Rolla Way".

Hedgepeth left at 11:56 am.

In the matter of
Accounts Payable:

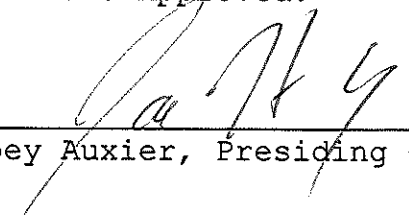
Commission reviewed and approved invoices in the amounts of \$43,566.79 for A - L, \$41,917.30 for M - Z and \$1,018,125.11 for Jail Expansion.

In the matter of
Review of Commission Minutes:


Commission reviewed and approved commission minutes from 4/9 and 4/11.

Hearing no other business commission adjourned at 12:06 pm.

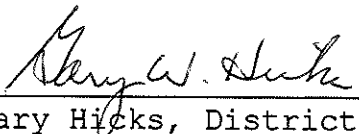
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stiles, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
April 23, 2024 Seventh Day of the April Term

Now at this 23rd day of April, 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

In the matter of
Existing County Maintenance Shed:

Discussion was had on the storm damage that was done to the old existing county maintenance shed. Commissioner Stites moved to approve the quote to repair in the amount of \$5,600.00 from Hi Tech, Commissioner Hicks seconded, motion carried.

Support Services Director Sissy Korich entered at 9:10 am.

In the matter of
IT Services Bids:

Korich advised she would like to stay with Alliance as the other company didn't truly fulfill the bid requirements. Commissioner Stites moved to accept the bid from Alliance, Commissioner Hicks seconded, motion carried.

Korich left at 9:24 am.

In the matter of
Sale of 2 Sheriff's Department Vehicles:

Presiding Commissioner Auxier signed titles for the sale of a 2013 Chevrolet Silverado in the amount of \$5,100 and a 2016 Dodge Charger in the amount of \$4,099.00 from the Sheriff's Department fleet.

Local resident Tom Bridges called in to commission chambers at 9:27 am.

In the matter of
Tree down:

Mr. Bridges advised there is tree down along the south side of County Road 7240 that has a large branch that is hanging over the road right at windshield height that needs attention. Commission advised they would let the road department know to take a look.

Mr. Bridges hung up at 9:30 am.

Local resident Chester Kojro entered at 9:31 am followed by BPJ Agent Dan Cavender at 9:33 am.

In the matter of
MOPERM Insurance updates:

Mr. Cavender asked commission when to anticipate switching over the coverage from the existing maintenance shed to the new building. Discussions were had on the cost of the well and building both being pertinent structures therefore it is imperative to have all aspects of the systems covered. Further discussions were had on the builder's risk associated with the Road and Bridge new facility project. Mr. Cavender advised the bid contract advises that the owner (Phelps County) can request a copy of the builder's risk contract. Further discussions were had on the request and response needing to be in writing. Clerk Johnson sent an email requesting the documents from Archer-Elgin.

Local resident Ray Schweikhardt entered at 9:44 am.

Further discussion was had on the county needing to be prepared for an increase in the deductible in the future as increases are happening across the country and we have been lucky to have not been affected yet.

Mark Case, Shawn Pearson and Michelle Bock from Road and Bridge Department entered at 10:17 am.

Mr. Cavender left at 10:17 am followed by Mr. Schweikhardt and Mr. Kojro at 10:19 am.

In the matter of
County Road Specs review and editing:

Mr. Case advised the first suggested change needs to be changing the slope to the shoulders of the roads from 4% to 10%. Further discussion was had on any changes made to the road specs will affect new builds not existing roads. Commission advised potentially having an exhibit A and exhibit B along with a reference guide to easily show the builders what they need to have to meet county road specs.

Under the Utility Access section case advised changing section 2 from the county "will" to "may" pay some, or all, of the expense of relocating utilities.

Discussion was had on creating a stipulated cost under the bond section for what it would cost to fix gravel, asphalt, etc.

Under the Subdivision Regulations discussions were had on changing "Final plat of subdivision" to read "Construction of the public improvements" and to take out the Preliminary Plat section all together. Further discussions were had in Section 4 #3(b) needing to read as 4 copies not 8. Case advised we need to add that the developer/builder is responsible for the adhesion of the specified storm water drainage for the county.

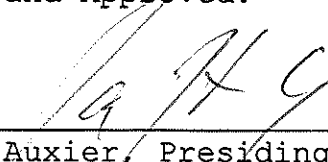
Commissioner Hicks pulled up RSMo 229.150 that covers this section.

Under the Design Regulations discussion was had on adding the RSMo 229.150 to add (g) under Section 1.2 storm water collection. Further discussions were had on the need for adding a (f) section to read as all developments with a curb and gutter and pavement designs must be concrete culverts along and under

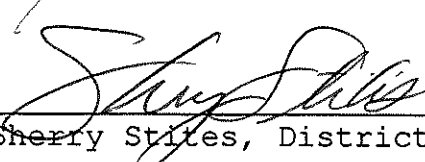
the counties right of way. Commission further advised to remove (7) and (8) from section 2.0

Hearing no other business commission adjourned at 12:04 pm.

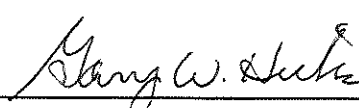
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stiles, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
April 25, 2024 Eighth Day of the April Term

Now at this 25th day, 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

Also present were Sissy Korich and Amy Asberry from Support Services.

In the matter of
Bailiff office remodel:

Ms. Asberry advised there has been a change to the original layout of the plans due to the need to accommodate a pillar in one section that was missed on the original design. Commissioner Stites moved to approve the addition of \$403.00 to the project, Commissioner Hicks seconded, motion carried.

Ms. Asberry and Ms. Korich left at 9:15 am.

Sheriff Kirn entered at 9:15 am.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of \$51,921.10 for A - L, \$21,046.53 for M - Z and \$27,828.00 for MAC Trust/Workers Comp and \$344,507.26 for County Payroll.

In the matter of
Flock Camera updates:

Sheriff Kirn advised they have the cameras ordered and are working with MoDOT to get the poles in place. He believes the cameras should be up and running within a few months.

Treasurer Cathy Tipton entered at 9:58 am.

Sheriff Kirn left at 10:02 am.

In the matter of
Sales Tax and CART fund reports:

Tipton presents Commission with CART fund and sales tax reports. She advised we are up 3% from this time last year on the Gas Tax. She advised the MV Sales Tax are down about 25% from this time last year but up 6% from last month. She also advised we are down 20% from this time last year on MV Fees.

Local resident Dale Martin entered at 10:26 am and left at 10:28 am.

In the matter of
CLOSED Session:

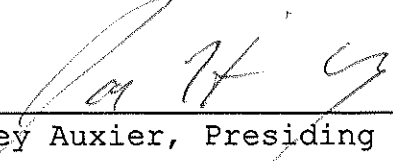
Commissioner Hicks moved to go into closed session pursuant to RSMO 610.021 (14), Commissioner Stites seconded, motion carried, moved to closed session at 10:36 am.

Commissioner Hicks moved to go out of closed session, Commissioner Stites seconded, motion carried, moved to open session at 10:44 am.

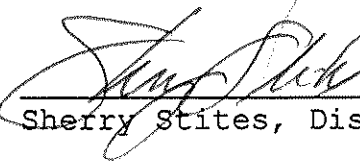
Tipton left at 10:50 am.

Hearing no other business Commission adjourned at 12:00 pm.

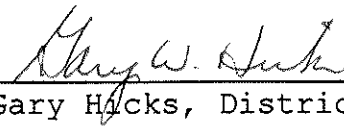
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
April 30, 2024 Ninth Day of the April Term

Now at this 30th day of April, 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

Also present were Collector Faith Barnes.

In the matter of
DEVNET Contract:

Ms. Barnes presented commission with her 5-year DEVNET contract. Discussions were had on the new discovery where if the law changes, the company has to update the system free of charge to clients. Barnes advised she pays \$5,000 quarterly to DEVNET per this contract. Commissioner Hicks moved to approve the contract with DEVNET for the county collector, Commissioner Stites seconded, motion carried.

In the matter of
SB 190 Discussion:

Commission and Barnes discussed the need to take action on SB 190 as they do not feel it will be addressed by state in a timely manner anymore. Further discussions were had on getting all the taxing districts in the county together to implement documents and resolutions in order to enact this bill for Phelps County residents.

Barnes left at 9:25 am.
Local resident Chester Kojro entered at 9:29 am followed by Sheriff Kirn at 9:31 am.

In the matter of
Jail Expansion Change Order:

Kirn presents commission with change order #14 and #15 for the jail expansion project.

Viebrock representative entered at 9:37 am.
Kirn left at 9:44 am.

In the matter of
Hwy C culverts:

Local resident called in and advised there are some culverts that are compacted with debris after the storms last week that are causing some backups. Commission advised that is MoDOT's area and provided the resident with a contact number.

In the matter of
Opioid PBM updates:

Commission reviewed the PBM (Pharmacy Benefit Managers) updates that were emailed to Presiding Commissioner Auxier. Commissioner Hicks moved to approve opting in on the recent updates of opioid settlements pertaining to PBM, Commissioner Stites seconded, motion carried.

Mark Case and Michelle Bock from Road and Bridge department entered at 9:57 am followed by Dan Cavender from BPJ at 10:13 am.
Viebrock rep left at 10:17 am.

In the matter of
County road specs review and editing:

Discussions were continued at Section 3.0 Excavations in Right of Ways. Bock advised she did research on what the FEMA rates are currently and it was decided to implement a \$2500 deposit under sub section (5) of Section 3.0.

Kojro left at 10:26 am.

Discussions were had on Section 4.0 Roadways to add See Exhibit A after subsection 1(B). Subsection (C) has stated requirements that commission wants to hear from engineer if this is a requirement in Missouri. Further discussions were had to add a signature line and a section for that to be notarized that would hold the contractors/developers accountable to follow these specs. Discussions were had to have the engineering company assisting with these specs create a signature page that states read and accept the stated requirements of (list all sections) having a signature line for the developer, all 3 commissioners, the Road and Bridge department and a notary line. Case advised he would like to create a simple handout that the developers need to hand out to buyers of their property that explains a brief overlook of what can and can not be done. This would eliminate the problems that are currently ongoing in the county with new home owners. Discussion was had to change subsection 2 (I) to read 2 inches of base and 2 inches of surface instead of 1.5 inches on each.

Commission asked Case to go over these edits with the engineering company, have them draft an updated document and then schedule a time to meet with commission to approve all the edits and enact the new Road Specs for the County of Phelps.

Case and Bock left at 11:18 am.

In the matter of
BPJ Insurance updates:

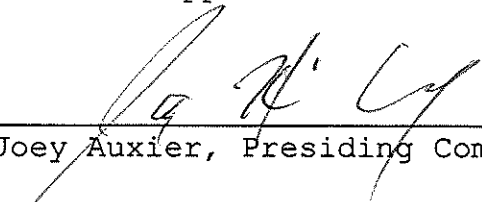
Cavender asked commission general questions relating to the new road and bridge facility. Discussions were had on the building

being built to ADA and IBC regulations. Discussions were had on the 40-foot communications tower, water tank and well all being covered by the county and that needing to be covered on the county insurance. Discussions were had on the building being equipped with Central Security once it is completed as an additional security feature.


Cavender left at 11:51 am.

Hearing no other business commission adjourned at 12:00 pm.

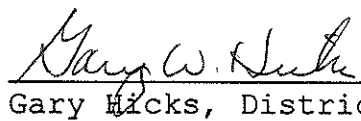
Read and Approved:



Joey Auxier, Presiding Commissioner



Sherry Sites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

