

PHELPS COUNTY COMMISSION RECORD

November 3, 2020 Tenth day of the October term

Now at this the 3rd day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner
Larry Stratman, Commissioner District 1
Gary W. Hicks, Commissioner District 2

The clerk was absent for the entire meeting due to the demands of General Election Day. Minutes are as recalled by Commissioner Hicks and accounts payable records.


IN THE MATTER OF
LAGERS:

Collector Faith Barnes provided a report of her attendance at the LAGERS Annual Meeting. Local residents Ray Schweikhardt and Chester Kojro were also present, as was Phelps County Focus Staff Writer Andrew Sheeley.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of one and 8 invoices in the amount of \$229.88 and \$16,052.35, respectively.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

November 5, 2020 Eleventh day of the October term

Now at this the 5th day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF
NOVEMBER GENERAL
ELECTION:

Commissioner Hicks expressed his appreciation for the support he received from the community in his roughly 3:1 win. Also present were local resident Joey Auxier, who concurred as he had won the election for the 1st District Commission race. Commissioner Hicks said the opportunity to serve the people is humbling. Phelps County Focus Staff Writer Andrew Sheeley was present as well.

IN THE MATTER OF
CARES ACT FUND APPLICATION:

Commissioner Stratman reported on a meeting he had with Phelps Health personnel about their request for funding to permit conversion of more rooms into negative airflow rooms. The discussion had resulted in a slight adjustment in the amount. Sheeley then left.

IN THE MATTER OF
OUTLAWED PERSONAL
PROPERTY TAXES:

Assistant Prosecuting Attorney Bill Hudson and Collector Faith Barnes entered at 9:40 a.m. Hudson said that adjustment of the tax obligation to zero is allowed by statute; per a Missouri Supreme Court ruling, he said an "adjustment" is a discharge of the debt and is not reversible. He said that the debtor would have remedies to block readjustment, effectively reinstatement, of the debt and could be likened to "double jeopardy." Barnes said that she, as collector, will not outlaw personal property taxes, conversely, she will pursue collection. Hudson left at 9:43 a.m.

IN THE MATTER OF
CARES ACT FUND APPLICATIONS:

As moved by Commissioner Stratman, seconded by Commissioner Hicks, Phelps Health's application #5 for CARES Act funds was approved in the amount of \$74,330.60. Phelps Health's third and fourth applications are still outstanding. The application from Vaibhavi, Inc. in the amount of \$373.75 for personal protective equipment was approved as moved by Commissioner Hicks and seconded by Commissioner Stratman.

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IN THE MATTER OF
HAZARD MITIGATION:

The Commission approved documents as moved by Commissioner Stratman and seconded by Commissioner Hicks.

IN THE MATTER OF
IT AND NETWORK MAINTENANCE:

Interim Building and Grounds and Support Services Director Sissy Korich entered at 10:25 a.m. She reported on information she had gathered about Alliance Technologies working for the courthouse to meet needs for upgrading firmware and emergency responses. She has another company's proposal in her office and discussed the bid threshold with the Commission.


IN THE MATTER OF
BANKS MAKING APPLICATION
FOR CARES ACT FUNDS:

There was a discussion of letting locally-owned versus non-local banks participate in the CARES Act fund distributions by the County. Lending and investment institutions had been explicitly excluded from eligibility for funds. Presiding Commissioner Verkamp said, "Why punish the banks?" As moved by Commissioner Hicks and seconded by Commissioner Stratman, these stipulations were removed. Phelps County Bank was considering making application.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 17 and 18 invoices in the amount of \$23,292.36 and \$25,044.42, respectively.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

November 10, 2020 Twelfth day of the October term

Now at this the 10th day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF
US REPRESENTATIVE 8TH DISTRICT:

Brett Hoffman, Constituent Services Assistant and Field Representative for U.S. House District 8 Representative Jason Smith's office, attended. Also present were local resident Joey Auxier and Phelps County Focus Staff Writer Andrew Sheeley. Hoffman reported that Rep. Smith would be running for GOP chair of Budget Committee and that the Republican Party may have picked up 5 seats in the House at the November 3, 2020 election.

IN THE MATTER OF
REAL ESTATE COURT ORDERS:

The Commission reviewed a pair of court orders representing a true split of the parent parcel; 10 RE court orders removing Edgar Springs City Sewer Fees; and multiple court orders categorized as clerical errors. These were approved as moved by Commissioner Hicks, seconded by Commissioner Stratman

IN THE MATTER OF
BROADBAND EXPANSION:

Presiding Commissioner Randy Verkamp observed a lack of interest in application for grant funding for expansion of high-speed internet. Bonnie Prigge, Executive Director at MRPC and perhaps Kelly Sink, Project Development Manager at MRPC may be involved. Grants in the hundreds of thousands of dollars for broadband expansion were discussed. Commissioner Stratman said the problem was only getting the line laid from "the road to the farmhouse," and believes that the Commission needs to lobby the Intercounty Board. Additionally, he believes that the school systems should be lobbied to write a letter of support. Stratman said that with the increased use of telemedicine, health care providers should be interested as well. Commissioner Stratman said some believed that Intercounty had the best physical infrastructure for lines. Local resident Chester Kojro entered at 9:25 a.m.

IN THE MATTER OF
FLOOD BUYOUT, HMGP:

As moved by Commissioner Hicks, seconded by Commissioner Stratman, the final request for funds on this grant and the administrative services invoice from MRPC was approved.

IN THE MATTER OF
CARES ACT FUND APPLICATION BY ASSESSOR:

Bill Stoltz entered just as Sheeley was leaving to ask about application by county departments for CARES Act funds. He was

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CARES ACT FUND APPLICATION BY ASSESSOR, Continued:

referred to Kelly Sink at MRPC. This first request is for approximately \$10,000; he will have roughly \$2,000 of further unbudgeted expenditures for wireless-enabled devices that will be used by his field staff.

IN THE MATTER OF
TRAFFIC PLANNING:

Kojro discussed the proliferation of roundabouts and the changes coming to US Highway 63. Kojro said the (Rolla City Administrator John) Butz' plan is to bypass all the traffic from US 63 to I-44, to the HWY 72 bypass and thence to south US 63. He asked why there would be a fifth interchange at Sally road and wondered if that would be advantageous to westward expansion in the area or truck traffic from Rolla West.

IN THE MATTER OF
EMPLOYEE MEDICAL INSURANCE:

Retention Dan Arell as a health care consultant by the Commission was discussed. Collector Faith Barnes then entered.

IN THE MATTER OF
NOVEL CORONAVIRUS COVID-19:

Commissioner Stratman shared some new statistics; those with symptoms at the testing "tent" at PH are now 22% positive, rather than 12% last week.

IN THE MATTER OF
BLACK FRIDAY:

The Commission discussed closure of the courthouse on Friday, November 27 since State offices are closed. As moved by Commissioner Stratman, seconded by Commissioner Hicks, the courthouse will be closed on that day.

IN THE MATTER OF
SINGLE AUDIT:

The clerk wanted 2019 and 2020 single audits bid together. Commissioner Hicks moved and Commissioner Stratman seconded to seek bid services for two years.

IN THE MATTER OF
ROAD 7100 BRO-B081(13):

Kristen with Haile Excavating said she would be sending contract documents to Commission including bond, proof of insurance, etc.

IN THE MATTER OF
CARES ACT:

Commissioner Hicks needed to leave to join a Zoom conference for a \$100,000 CARES Act MRDC Revolving Loan Fund (RLF) for a business in Steelville which was negatively impacted by coronavirus.

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November 10, 2020 Twelfth day of the October term

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 37 and 57 invoices in the amounts of \$41,942.71 and \$58,118.29, respectively. Also approved was payment of Progress Invoice #11 for the Road 7100 BRO-B081(13) bridge project for \$3,149.12; \$373.75 for Vaibhavi, Inc. for CARES Act funds; \$74,330.60 for Phelps Health's 5th request (third paid) for CARES Act funds.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

November 12, 2020 Thirteenth day of the October term

Now at this the 12th day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF PAYROLL:

The Commission reviewed and approved payroll for November 13, 2020 representing work dates of 11/1-11/15/2020 in the amount of \$191,660.15 (net salaries), federal and state withholdings of \$61,460.33 and \$8,218.50, respectively. Local resident Joey Auxier and Phelps County Focus Staff Writer Kaitlin Brothers were also present.

IN THE MATTER OF SINGLE AUDIT:

The matter of financial statement versus single audits were discussed. The three pages word processed by the clerk were felt to be adequate for a request for bids and are to be sent.

IN THE MATTER OF CO RD 1000:

A business going in near the outer road south of a subdivision was discussed. It is believed it is to be an implement dealer and not a trucking company.

IN THE MATTER OF BROADBAND:

Presiding Commissioner Verkamp spoke privately with Bonnie Prigge about broadband access and funding, seeking clarity. EDA has funded a position for a person called Peggy Barrack and she will be the liason. Presiding Commissioner Verkamp said maybe the school districts will be as much help as anyone with respect to where the service is needed. Hicks said that a comprehensive map of the installed infrastructure showing the fiberoptic cable might be helpful. A company called Whisper was doing broadband mapping and Verkamp recalls that 8 of 40 electric cooperatives in the state are providing internet; he then called and left a VM for a return call. Chester Crider entered briefly and asked about progress on Martin Springs and received a brief update.

IN THE MATTER OF CARES ACT FUNDS AND MASKS:

Strategies to disperse CARES Act funds were discussed, including providing an amount of PPE to each individual in the county or each licensed county business. Faith Barnes then entered and joined the discussion of providing masks to businesses; the potential for push-back in undercutting private businesses who provide PPE was considered. Regarding businesses that were Payroll Protection Plan (PPP) recipients, the consensus was that they could also receive CARES Act funds. Commissioner Stratman

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CARES ACT FUNDS AND MASKS, Continued:

estimates disposable surgical masks are \$10 per hundred and one pharmacy is retailing KN95 masks for \$3.00 each. A possible mask mandate was discussed. The clerk asked if the availability of masks would promote the passage of a mask mandate, but the belief was that it would enable people to signal their intent to push back on the illness.

IN THE MATTER OF
CARES ACT FUND APPLICATIONS:

The application was considered for Beta Sigma Psi Fraternity; as moved by Commissioner Stratman, and seconded by Gary Hicks, to deny the application. Next discussed was the application from Your Community Health Center (YCHC) for \$69,800; apparently funding has been obtained from DESE and as moved by Commissioner Stratman, seconded by Commissioner Hicks, it was considered withdrawn. The application from St. James Ambulance in the amount of \$64,909.36 was approved on a motion by Commissioner Hicks, seconded by Commissioner Stratman. Phelps Health request #3 for \$162,138.07 was held, as was their fourth application for \$73,884.64. The application from House of Prevention, Education & Training Resident, Inc. (HOPE) for \$9,030.36 was considered; Stratman moved and Hicks seconded that the application be rejected. The 25th Judicial Circuit's request for \$89,098.75 for conversion of the remaining courtrooms was approved as moved by Commissioner Hicks seconded by Commissioner Stratman.

IN THE MATTER OF
PUBLIC SCHOOLS:

Phelps/Maries Health Department Director Ashley Wann entered and announced that the process going forward for schools is that if students will continue to wear masks, contacts will not be quarantined. Wann said the quarantine is too disruptive for the workforce because parents are out; Phelps Health apparently has 40 employees out due to quarantine at present. Wann said that as long as they do not quarantine contacts who complied with masks, the schools are going to have to have a mask mandate. DHSS and DESE jointly issued this. Commissioner Stratman reported that contact tracing will cease the week of 11/16/20, as positive case numbers are ramping up so quickly. Wann reported 50 cases on average per day over the last 7 days, which she said represented probably 70 cases. SARA Alert system is still texting anyone who is under quarantine. Wann said the Health Department is now contacting only the cases; individuals are being told to trace their own contacts. Reporting that two testing sites are not communicating with her, though they are probably reporting on their own to DHSS, she said Phelps Health is communicating very well with her department and are emailing about three batches of results per day. Considering the non-reporters, Commissioner Stratman asked how Wann will be able to keep the county informed. The state is speaking with both testing sites, Wann said. Michelle Bock of the Road Department entered about 11:10 a.m. Wann estimated that the Health Department currently has a 33% positivity rate. Hicks inquired about recent inspections of restaurants and day cares; Wann said they are careful to keep up with day cares particularly.

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PUBLIC SCHOOLS, Continued:

Presiding Commissioner Verkamp asked Wann to consider their strategies for mask distribution, remarking that service industries do not have a presence in the merchant's license rosters. Before leaving, Wann mentioned that she had heard complaints about sanitizing in the courthouse, particularly the common areas.

IN THE MATTER OF
AETNA LIFE

As moved by Stratman and seconded by Hicks the document needed by GBS for life insurance was approved.

IN THE MATTER OF
ROADS:

Stratman said that the first road in the quarry may be hot decked next year but the residents there need to speak with Walter Snelson about their preparation of the right of way areas that have had water discharge impeded, due to filling-in of ditches, placement of ornamental stone, removal or lack of culverts. A discussion was held about Co Rd 6160 and how far maintenance extends; the cul-de-sac is no longer complete.

IN THE MATTER OF
HEALTH DEPARTMENT
AND ACCRUED COMP TIME:

Wann asked about her compensatory time; she has worked a great number of extra hours and asks whether she should enter these hours on her time sheets, and the Commission told her yes.

IN THE MATTER OF
MAC DELEGATES:

Randy Verkamp, Carol Green, Robin Kordes, Bill Stoltz and Faith Barnes will attend the virtual MAC annual conference.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 45 and 27 invoices in the amount of \$95,144.88 and \$19,723.50, respectively.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

November 17, 2020 Fourteenth day of the October term

Now at this the 17th day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF
NOVEL CORONAVIRUS COVID-19:

The preceding night's Rolla City Council meeting with a discussion of mask mandate and gathering restrictions was reviewed. Local resident (and 1st District Commissioner-elect) Joey Auxier, local resident (and Coroner-elect) Ernie Coverdell, Phelps County Focus Staff Writer Andrew Sheeley and Gary O'Day of MRPC were also present.

IN THE MATTER OF
FLOOD BUY-OUT AND CDBG GRANT:

A close-out hearing was held for the 2017 Flood Buy-out CDBG grants. O'Day gave a report on the course of the grant; the work was almost complete as well as the grant administration. A discussion ensued about some of the properties involved. As moved by Commissioner Stratman, seconded by Commissioner Hicks, the hearing was closed without further comment.

IN THE MATTER OF
A MASK ORDINANCE:

Sheeley asked the Commission where they stood on a mask ordinance; Presiding Commissioner Verkamp deferred to Commissioner Stratman who said that their goal was to work in concert with the cities of Rolla, St. James and the three smaller cities. Commissioner Hicks mentioned that the council is considering social distancing/occupancy numbers; Commissioner Stratman said that the "devil will be in the details" and it cannot be a "one size fits all" solution and he says that "...we want people to be able to make a living..." and that "...Ed [Clayton] made a persuasive argument" and there will be doctors at the meeting on November 24th. Sheeley noted that all the people speaking against were in person; all the people speaking in favor attended virtually via Zoom. Presiding Commissioner Verkamp said an update on the numbers of cases was anticipated. It had been suggested that the COVID money be used for purchase of masks. The Commissioners are aware of pressure to do something when the hospital gets full. The mask ordinance may be the thing that may need to be done. Sheeley then left at 9:20 a.m.

IN THE MATTER OF
EDGAR SPRINGS RURAL FIRE PROTECTION DISTRICT
AND CARES ACT FUND APPLICATION:

Coverdell had an application for PPE for the fire district. Coverdell also gave a report on deaths for which the coroner is called; he says it's the older folks, those with comorbidities,

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EDGAR SPRINGS RURAL FIRE PROTECTION DISTRICT, Continued:

one with numerous co-existing conditions. He reports that he has worked a good deal with Coroner Andy Davis. Presiding Commissioner Verkamp asked how much the grant request was for and Coverdell said it was for \$27,000. Coverdell told Commissioner Hicks that no expenditures had been made yet; he then left at 9:25 a.m. and local resident Chester Kojro entered.

IN THE MATTER OF
GROUP BENEFIT SERVICES RENEWAL PROPOSAL:

President and CEO of GBS, Mike Deren, arrived at 9:25 a.m. and the renewal of the county's medical insurance policy was preceded with a brief discussion of the COVID situation in Greene County followed by Deren reviewing his practices for mask hygiene and public presentations. Presiding Commissioner Verkamp asked if it was "good news" and Deren said it was pretty decent. He has several options and he's looking into the agreement between the County and Phelps Health, particularly the lab services component. He spoke with Health Link and the lab services contract is based on a percent of Medicare, not a percent of billed services, so a refund may be due. He knows of similar programs elsewhere in which the employer is contracting with a facility. Deren said it is important to know what % of Medicare the inpatient, outpatient, and physicians' charges are to be; there are many ways that pricing can be competitive. They are seeing a lot of pricing schedules that are a lot more competitive. He then provided examples of differences in the lab benefits and discounts. Presiding Commissioner Verkamp asked if the answer would be to go to a percentage of Medicare across-the-board, and Deren said yes, that would provide consistency and a standardized contract would be advantageous. Assessor Bill Stoltz entered at 9:45 a.m. He has several alternatives to offer, such as looking at Aetna as a contract provider. He respects the desire of the Commission to support the businesses within the county—including the hospital—which he says a lot of counties want to do. Then Deren detailed strategies to use to obtain any refunds due. Presiding Commissioner Verkamp said they had no negotiating power with any institution, but Medicare did, and he says he would have expected GBS to have done that from the start. Deren says Health Link still says that the deal the County has with the hospital is "the best deal in town," though there is a lack of competition. Collector Faith Barnes and Phelps/Maries Health Department Director Ashley Wann entered at 9:55 a.m. Presiding Commissioner Verkamp asked if it would be Deren's or a consultant's job to renegotiate any contracts. Deren said it would be his job. When asked by Commissioner Stratman, Deren said other components are being calculated correctly. Regarding the lab charges, it could be Phelps Health or the claims processing by Health Link. Deren then proceeded with a detailed discussion of the renewal reports. Barnes left at 10:00 a.m. Commissioner Stratman asked about HealthLink OA II; Deren detailed that they are repricing the hospital claims, and they get an administrative fee from hospital. Deren said the county was getting the discounts it was entitled to. Stoltz and Kojro left about 10:15 a.m. Emergency claims may be low because ER visits are being avoided due to COVID. Deren said the Durable Medical Equipment (DME) provider had been changed from Aerocare, the purchaser of Heartland, to Homelink. 75% of

PHELPS COUNTY COMMISSION RECORD

November 17, 2020 Fourteenth day of the October term

GROUP BENEFIT SERVICES RENEWAL PROPOSAL, Continued:

the usage of providers is through Phelps Health. A detailed review of pharmacy utilization ensued. Then reinsurance bidders and their different proposals were discussed. Commissioner Stratman wanted to deliberate on larger versus smaller specific deductibles; due to success over the last few years, he said that he believed the County would do better to only look at claims pricing, as raised by Deren, rather than radically change the contract with the hospital. Currently the county was funding approximately 86% of costs, though Presiding Commissioner Verkamp pointed out that delayed care might be sought in 2021 when the COVID-19 situation clears. Stoltz returned at 10:24 a.m. More aspects of pharmacy utilization such as the dominant therapeutic classes and the point that adherence for treatment of chronic conditions showed room for improvement (diabetes mellitus adherence was 62.5%) were explained. Generic utilization was above 90%. Stoltz then left about 10:30 a.m. Commissioner Hicks mentioned that the commission has received some criticism over having a TPA who is also the broker, then Stratman asks what the GBS' sources of income are and they get 15% of reinsurance premiums as well as per-enrollee admin fee. Stratman asks what other source of revenue they have and Deren says it is with CVS which is revenue-neutral which is an administration allowance. Barnes then returned at 10:40 a.m. and was informed, when asking directly, that rates would not increase. Commissioner Stratman asked, if we separated out the TPA fees and the broker fees, wouldn't the TPA fees go up? Deren says that if they work with a broker, they typically keep 5% and pay out to the broker 10%; TPA fees would remain the same. Presiding Commissioner Verkamp asks, in the event county would renegotiate with PH to change it to a % of Medicare would that be a burden and additional cost for GBS? Deren said no. Subsequently a back-and-forth over GBS acting as broker or not ensued; Deren said he serves as both TPA and broker for a small percentage of clients. Saying, "They're out partner," Commissioner Stratman asked about the request for claims information for the hospital earlier in 2020 and Deren suggested the transfer of data would be greatly enabled if it was made clear that the request was audit-related and if one data person spoke with another data person. Barnes left then at 11:50 and Deren also left shortly after that.

IN THE MATTER OF
RESTRICTED ACCESS, ASSESSOR'S OFFICE:

Assessor Bill Stoltz notified the Commission that they are going to appointment only effective tomorrow 11/18/2020, with citizens required to call the office prior to admittance.

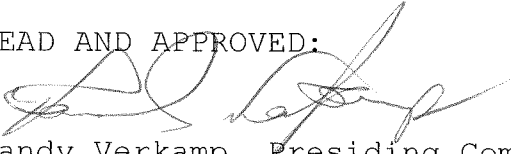
IN THE MATTER OF
MASKS:

Convinced that CARES Act Funds would be very well-spent if masks for distribution to businesses were purchased, Commissioner Stratman moved that 200,000 masks could be purchased to distribute to Rolla and St. James Chambers of Commerce; Commissioner Hicks seconded.

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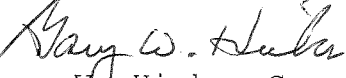
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READ AND APPROVED:



Randy Verkamp, Presiding Commissioner

Larry Stratman, Commissioner District 1



Gary W Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

November 19, 2020 Fifteenth day of the October term

Now at this the 19th day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF
MASKS IN THE COURTHOUSE:

Present were local residents Ray Schweikhardt, Joey Auxier, Phelps County Focus Staff Writer Andrew Sheeley, Recorder Robin Kordes, Collector Faith Barnes, Deputy Assessor Paul Long and Deputy Clerk Lisa Dowdy. The Commission listened via Facebook to the Governor's statement. The state of emergency in Missouri will be extended until 3/31/2021; he expressed reassurances that he would do whatever he could do but he pledged not to regulate gatherings in private residences stating that this is not the job of state government. Governor Parson said he will not issue a statewide mask mandate; people on the local level should have a voice through mayors and county commissions, citing his belief in local control. He said it was not a matter for government to set rules for observation of Thanksgiving. He says each and every one of us do the same thing; we know who is at risk, and who is not. "This virus is everywhere: in our communities, in our businesses. We know how it affects everyday people. It's up to us to decide what personal responsibility we will take to slow this virus down. If you look back 30 days ago to the statistics, all the cases combined in the first 8 months were fewer than the month of October...these numbers are growing at a very fast rate. It will put a stress on the system if we don't put some responsibility on ourselves." He listed other midwestern states with higher incidences. "Thirty days ago...let me use North Dakota...they had 300 [positives]/100 thousand and now they have 1300 [positives]/100 thousand. Nebraska, etc. jumping by 3 times...I understand everyone's virus fatigue. We are not going to be able to go back to normal life...not for several months. Until then, this virus is out there...we will get through this. We will find a solution. We have to make those decisions ourselves. I do not want government to mandate what we do in our lives...we will be coming out with a guidance today. As many people as want to say it's government's responsibility, it's not; it's everyone's responsibility." Director of Missouri DHSS Dr. Williams then speaks. "The first truth we see in November compared with April is the availability of testing. We have more resources for therapy and we are not ventilating as many patients. [We are using] Dexamethasone. We now also see a path with respect to a coming vaccine. When long-term antibody response, both the disease and the immunization are very good with respect to that. We have 10 sites that can store the Pfizer vaccine at 90 below. The Moderna vaccine will be stored at 4 below. Nurses cannot work if they are quarantined or isolated. It's not the vaccine that will get us there; it's vaccination." For 49 states, other than HI, the cases are rapidly increasing so MO is not special. Dr. Williams answered questions about availability of hospital beds and discussed the use of high-flow oxygen versus ventilation, the latter being less desirable in

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MASKS IN THE COURTHOUSE, Continued:

COVID. Reports that they are "not going to let any moss gather on any vaccine that comes to the state of MO..." and that Moderna vaccine is expected after Pfizer. Ray Schweikhardt reports living through the 60's and 70's every form of protest was protected under the 1st Amendment and asked the Commission not to make any laws that cannot be enforced; don't regulate size of church gatherings or who he can or cannot have over to his house. Commissioner Stratman concurs especially with respect to the churches and added that "if a mask ordinance is put into place he hopes that the churches will comply with that voluntarily." Presiding Commissioner Verkamp reported that St. James administration will be watching Rolla's actions at their upcoming meeting November 23rd. Commissioner Stratman said he asked building and grounds to purchase 200,000 masks which were obtained for \$0.165 each; businesses will be able to go pick them up at Rolla or St. James Chambers of Commerce, potentially reducing the financial burden. Commissioner Stratman says can we go ahead and make a motion that you have a mask mandate in the courthouse in the public area. Commissioner Hicks pointed out the difficulty in limiting the size of social gatherings due to the difficulties with enforcement. Barnes believed that uniformity throughout the courthouse merited consideration. When the hospital says "It's time," Commissioner Stratman said you have to listen. Barnes believes all the city and county officials need to craft a PSA saying it's not the masks that will be saving us it's handwashing, social distancing, etc. Commissioner Stratman said "If the hospital tells us that it has 40 nurses out..." and Paul Long interjected that he is going to follow the guidelines of local/state/federal authorities. Commissioner Hicks said that the education of the populace is the most important thing you can do and that the schools have to open, saying "don't need any mandates, we need people to use good judgement. There may not be any good judgement out there." Barnes mentioned that her "...ladies [staff] do not need to get the anger over the masks on top of the anger over taxes." Phelps/Maries Health Department Director Ashley Wann arrived at 9:45 a.m. and said that judging from the public's calls into her department that "they are past the point of education." Stating that the Sheriff would have to have the bailiffs dispense the masks to the public in the Courthouse, Commissioner Stratman withdrew his motion for a mask mandate. Wann said she supports a mask ordinance but would not issue one herself. The County officials then left.

IN THE MATTER OF
REAL ESTATE COURT ORDERS:

Court orders for two flood buyouts in Jerome and the property purchased for the new shooting range on County Road 3410 were approved as moved by Commissioner Hicks and seconded by Commissioner Stratman. When he inquired, Auxier was told county employees might be allowed to use the range by appointment. These were Certificate Numbers 2020000032, 2020000033 and 2020000034 on parcel numbers 2020-7413, 2020-13407.01, 2020-5001 and 2020-5011.33.

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IN THE MATTER OF
PERSONAL PROPERTY COURT ORDERS:

These were reviewed and signed by the Commission. They were Court Orders numbers 2026 through 2029, representing add-on's for October 2020 for years 2016 through 2019 (respectively). Also approved were numbers 2030 through 2033, add-on's for November 2020 for the years 2016 through 2020, with year 2017 omitted as there were no changes.

IN THE MATTER OF
EMPLOYEE INSURANCE PLAN:

IN THE MATTER OF
CARES ACT FUND APPLICATIONS:

Commissioner Stratman moved and Commissioner Hicks seconded approval of the CARES Act Fund applications from the Circuit Clerk for \$89,098.75 and Assessor for \$10,374.60. Then five business applications were reviewed. Wann left as did Auxier and Sheeley. Commissioner Stratman moved to approve applications from Fairgrounds Auto Plaza, Inc., Investment Realty, Inc., and St. James Caring Center for \$5,000 each; seconded by Commissioner Stratman. Commissioner Stratman moved and Commissioner Hicks seconded the applications from St. James Chamber of Commerce in the amount of \$315.17 and the application from Rolla 31 Public School District for \$20,525.33. Pre-approval was given for Mid-Missouri Foot & Ankle Clinic's purchase of air purifiers for \$4,626.24 as moved by Commissioner Stratman seconded by Commissioner Hicks, as was pre-approval of air purifiers only for Thomas B. Bowen DMD, MS PC request in the amount of \$2,086.05. The Missouri S&T \$116,357.73 application was in large part for COVID testing and was held for further review. As moved by Commissioner Stratman and seconded by Commissioner Hicks, Three Sisters for \$1569.85 and Tony Froehlich Agency for \$866.04 were approved. Another Rolla 31 Public School application for \$76,965.23 and Hampton Inn's application for \$5,000 were held until the next meeting.

IN THE MATTER OF
CERF 457 ROTH OPTION:

The Commissioners believed the 457 Roth through CERF would be an addition to the benefit package. This will be

IN THE MATTER OF
ANNUAL CERF ELECTION:

The Commission elected to keep the contributions to CERF the same, 3% employee deduction and 1% employee benefit, as moved by Commissioner Stratman and seconded by Commissioner Hicks.

IN THE MATTER OF
COUNTY EMPLOYEE HEALTH INSURANCE:

As Commissioner Hicks left after noon, Commissioner Stratman moved and Presiding Commissioner Verkamp seconded that the recent GBS 2021 renewal proposal with rates the same as 2020 would be accepted so that employees could proceed with re-enrolling.

PHELPS COUNTY COMMISSION RECORD

November 19, 2020 Fifteenth day of the October term

IN THE MATTER OF
FLOOD BUY-OUT BUDGET REVISIONS:

At the request of Gary O'Day at MRPC, a revenue-neutral budget revision for the FEMA HMGP grant wherein \$425 in grant administration was relocated to the appraisal cost category. This was approved as moved by Commissioner Stratman, seconded by Presiding Commissioner Verkamp.

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner

Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

November 24, 2020 Sixteenth day of the October term

Now at this the 24th day of November 2020 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF
COUNTY MASK ORDER:

Local resident Ray Schweikhardt asked to speak first as he needed to leave. In his opinion, he said, "Much of what is going on is a power grab." His wife has been hospitalized for a week and he is not allowed to see her (though she has not tested positive.) It has been a real hardship for them both and he then left. Also present were Phelps County Focus Staff Writer Andrew Sheeley; Treasurer Carol Green; local resident Joey Auxier; Phelps Health CEO Ed Clayton; Rachelle Gorrell, DO; Nathan Ratchford, MD, Chief Medical Officer; and Eric Aubuchon, DO, Chief of Staff. Clayton says that what he is here for is to ask the county to enact the same sort of [mask] ordinance as the city passed last night. St. James City Administrator Jim Fleming entered. Presiding Commissioner Verkamp asks for other comments. Gorrell said that the previous day they set a new record at the COVID "shed" (testing facility) of 190; over the past 10 days there has been a steep increase. The hospitalizations lag behind the increase in the COVID positives. She said she doesn't want to wear a mask, she didn't go into surgery. Because all regional hospitals are short-handed, they cannot attract "agency" staffing. Aubuchon mentions the meeting the previous evening; it was important and needed to be done; in reality, he said, "All the evidence we have out there so far...where we see the successes, when that's" done, to "give our county the best chance, we are going to have to emulate what is done." Ratchford wanted to share both a personal and professional opinion. There were a lot of things he could relate to last night, on both sides. He doesn't think it's going to affect everyone equally but that we owe it to the population to help "at the county level to help these people." Presiding Commissioner Verkamp says "...we don't want it to happen here," what has happened in the cities. Commissioner Stratman concurred, saying that from the standpoint of the owners of the businesses, they pled with him not to shut down the businesses, and they can't speak to what is coming down the road if we are not proactive. What the city of Rolla passed is "...fine for the city of Rolla..." and the ability to enforce over a large area is almost impossible. "If the city of St. James follows suit with the city of Rolla, we're probably talking about a couple dozen businesses [which are] not in those two cities. We're really not touching that many businesses..." and Commissioner Stratman said "Certainly, I'm in favor of it." Recorder Robin Kordes then entered. The community has heard about Phelps Health making extensive efforts to first, "flatten the curve", then anticipating another wave coming this fall and with the triage tent, negative pressure rooms but now 40 of the staff are out

PHELPS COUNTY COMMISSION RECORD

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COUNTY MASK ORDER, Continued:

with positive tests for COVID. Clayton says the hospital has about 1700 employees. Commissioner Hicks asks, "What measures did Phelps Health take between the first uptick in cases and the next wave, when the healthcare industry said there would be a second wave? Did you try to make sure they would have staffing levels sufficient to deal with this?" Clayton said that pre-pandemic, from about 2008 or 2009, there haven't been enough nurses and physicians to care for the patients. "We are making many attempts to identify agency personnel who can be brought into the staff...working with nursing schools, etc. We've made a lot of attempts to improve staffing." Ratchford points that there is a small percentage of employees in quarantine but there is not a "deep bench" for ER nurses or Internist-hospitalists with 4-5 of 20 ER nurses out, and 2 night hospitalists, one of whom was sick with COVID and spent a few days in the ICU. Commissioner Hicks mentions that PCHD has ceased contact tracing for the most part and notes that Gorrell has been the medical director at the St. James Vet Home for 11 years where 23 deaths have been attributed to COVID. Commissioner Hicks observed that institutions such as the Veteran's Administration surely have firm guidelines and asked Gorrell to help him understand the death rate. Gorrell said first test-positive veteran was in September. They pull employees from around the county; Gorrell believes it may have been a dining room (DR) aide; these staff were required to wear a mask and residents were spaced out. Once there was a positive, the DR staff had to use gown/glove and face shields. They had veterans who took 14 days to develop symptoms after this initial case. It wasn't until October that they had testing with a quick enough turn around. The veterans were having symptom checks, twice daily temperature checks but "...once you have that community spread..." it progressed. Commissioner Hicks asked Clayton what measures they are looking at in the other 6 counties in the area Phelps Health serves. Clayton said, "50% of our patients come from Phelps County, and I think it's important to control the 'hub' before we worry about the 'spoke'. We're still advocating for community education." Ratchford says that every hospital in the state has asked for a statewide mask mandate but he's enough of a realist to know that "that's not coming." Aubuchon says "Governor [Parson] advocated for the communities to advocate for these measures on their own." Neighboring county positive rates were discussed; Ratchford pointed out that with numerous tests the "true negatives wash out the percentage." Gorrell said that individuals whose caregivers think they are definitely ill have a significantly higher positive rate. Epidemiology and prevalence were discussed. Commissioner Hicks asked if the COVID infection was a precursor to bacterial pneumonia. Local resident Chester Kojro, Sheriff Rick Lisenbe, Collector Faith Barnes and Assessor Bill Stoltz entered one at a time. Aubuchon said that for the majority of people passing away with "COVID" on their chart, the infection was not usually just incidental—it was usually a significant contributor. Commissioner Hicks speaks of the educational opportunities, which is part of leadership, but he doesn't think that leadership should be using a "stick"; he then considered what made an effective ordinance. Presiding Commissioner Verkamp interjected to say that Rolla's ordinance will be perused. Green, Kordes, Barnes, and the four hospital employees then left. The Commission turned to the

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COUNTY MASK ORDER, Continued:

distribution of masks. Sheriff Lisenbe said that he doesn't have the manpower and believes that the county is not going to be able to see it enforced. He does believe that a business does have the right to exclude people; he doesn't have a problem asking people to leave a business when asked, but he lacks enthusiasm for "writing tickets." The Commissioners then began to review the city ordinance. County Clerk Pamela K. Grow asked whether they were required to have a public hearing; Commissioner Verkamp said he doesn't think that they are obligated to do so. Still present were Sheeley, Auxier, Kojro, Stoltz, and Fleming. Aspects of the city ordinance such as sports and sports spectators, references to gatherings and church services. Commissioner Stratman has lots of problems with religious services, stating "I would like to carve out any governance of religious services," to which Commissioner Hicks agreed. Phelps/Maries Health Department Director Ashley Wann and Matt Sanders, owner of Matt's Steakhouse, enter at 10:20 a.m. Fleming suggest that St. James might refrain from issuing an ordinance but if someone enters a business and refuses to comply with masking may be asked to leave and then it would be dealt with as a trespass. He noted there were even people in the room without masks on, "not even observing Rolla's ordinance [Grow and Hicks]." Sanders then spoke at significant length, beginning with his observations about the duration and distance of contact in his type of business: a typical restaurant worker is at the table for a minute per person, or maybe a few minutes. He's timed it for about a month. Most servers are invisible to the patrons; he's surveyed his customers and they can't remember the server; Presiding Commissioner Verkamp took issue with this as a measure of duration of close contact. His servers stay 4 feet from the tables. He is pro-freedom and pro-business; he has a permissive approach to masks and tries to match patrons who desire a mask with servers who are masked. He asks, "Are there three votes here?" and Presiding Commissioner Verkamp says "Yes". He asks the Commission to allow business owners to have input. He thinks the city ordinance "dies where it lies" and any customer who says they have a medical excuse cannot be pushed to divulge. He spoke at the public hearing in Rolla the previous night; he says he was 4' away from a podium that 50 people used, where there was no hand sanitizer and it was never sanitized. He thinks there should be some freedoms in it for business. Sanders says he's spoken with some clergy; they have spread people out every other pew, using sanitizer; he thinks with the churches they are going to see lawsuits. "Give us a week...let us be part of the decision-making process," he said. He uses hand sanitizer at his buffet so that it is between the customer and the food. He thinks restaurants are a small percentage of the spread; kids are suffering with anger and anxiety issues. He says, "I'm a freedom guy...I don't want to see the county overreach...include some of the business owners. I asked Dave Weinbaum to give me his speaking minutes at the meeting 11/23 because he can be inflammatory." Collector Faith Barnes returned at 11:42 a.m. He says that the spectrum of the public comments was 60/40 against masks and he was disappointed that the council passed it. Presiding Commissioner Verkamp asked Sanders if there is not a need for urgency but Sanders' is concerned that if mistakes are made there will be legal challenges. He has made many modifications to his operation,

PHELPS COUNTY COMMISSION RECORD

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COUNTY MASK ORDER, Continued:

he said, and Presiding Commissioner Verkamp said they would be willing to amend based on business input. Sanders concluded by saying that business owners don't want to be confrontational; the threat of losing their city business/liquor and county liquor licenses are "huge".

IN THE MATTER OF
EMPLOYEE MEDICAL INSURANCE:

Commissioner Stratman makes a call to Group Benefit Services (GBS) President and CEO Mike Deren at 10:55 a.m and he was put on speaker phone. Repricing claims discussed—also claims made while enrolled employees are traveling. Barnes and Stoltz then left. Reinsurance rates were better with Aetna but the specific deductible would be going from 35K to 50K and the "lasers" would be eliminated. The Aetna network is national and HealthLink is regional. Wann and Sheeley then left. After some further discussion regarding the county's total exposure, differences between the Aetna alternatives, and Maxicare participants, Commissioner Stratman moved and Commissioner Hicks seconded that "Alternative Number Two" with reinsurance through Aetna and a \$40,000 specific deductible was approved. Deren said he would be willing to schedule online training during enrollment. Auxier then left.

IN THE MATTER OF
CITY OF ST. JAMES AND MASKS:

The Commission let Fleming know that he could leave with 15,000 masks for the St. James Chamber of Commerce, and Fleming then left. Sanders briefly returned with a few more comments.

IN THE MATTER OF
CORONER REMONUMENTATION:

Hicks moved, Stratman seconded, to approve the submission of the letter to the Missouri Department of Agriculture requesting payment for \$3,000.00, the state matching share for the 10 corners remonumented by County Surveyor Terris Cates.

IN THE MATTER OF
CONTRACT WITH CITY OF
ROLLA FOR COLLECTION OF TAXES:

Hicks moved, Stratman seconded to approve the contract, and Sheeley then left.

IN THE MATTER OF
REAL ESTATE COURT ORDER:

Hicks moved, Stratman seconded that the Certificate 2020000038, Parcel No. 2020-7330 for the removal of nuisance fees in the amount of \$259.90, be approved.

IN THE MATTER OF
TRACTOR LEASE, ROAD DEPARTMENT:

PHELPS COUNTY COMMISSION RECORD

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TRACTOR LEASE, ROAD DEPARTMENT, Continued:

As moved by Commissioner Hicks, seconded by Commissioner Stratman, this letter to John Deere was approved for identical terms as last year.

IN THE MATTER OF
COURTHOUSE MASK ORDER:

Masks were not mandated in the Courthouse by the city of Rolla's ordinance last night. Discussing masks in the common areas, Presiding Commissioner Verkamp then called the Sheriff, who said the bailiffs would very willingly provide masks as visitors to the courthouse entered.

The meeting then recessed until 2 p.m.

IN THE MATTER OF
COURTHOUSE MASK EDICT:

Recorder of Deeds Robin Kordes shared her thoughts with the Commissioners. Then the Commission took up the model ordinance which they obtained from Clay County. Stratman suggested reproducing parts of the city of Rolla's ordinance. At about 2:45 p.m. Rolla Mayor Lou Magdits called in. He said that "most of the emails were opposed" in the days leading up to the city hearing, but subsequently it's been more definitely favorable. "Part of the problem, guys, is that we didn't have suitable cover. The governor played Pontius Pilate and he washed his hands," and mentions that the hospital is owned by the county, and the commission had that to consider. Edits were made to a draft ordinance; Commissioner Stratman moved that it be adopted as written effective as of 12:01 a.m. Monday, November 30; this motion was seconded by Presiding Commissioner Verkamp. Roll call vote was Hicks - nay; Stratman - yea; Verkamp - yea.

FACE COVERING ORDER

PHELPS COUNTY

ORDER NO. 2020-11-24 (1)

1.0 Background

Phelps County has been closely monitoring the global pandemic caused by a viral respiratory illness called COVID-19.

WHEREAS: the novel coronavirus disease (COVID-19) is considered an infectious, highly contagious communicable and dangerous disease and on March 11, 2020 was declared by the World Health Organization to be a pandemic; and

WHEREAS: on March 13, 2020 the President of the United States declared the outbreak of COVID-19 in the United States constitutes a national emergency; and

WHEREAS: on March 13, 2020 Governor of the State of Missouri, Mike Parson, signed Executive Order 20-02 declaring a State of Emergency in Missouri in response to COVID-19; and

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FACE COVERING ORDER, Continued:

WHEREAS: on March 19, 2020 the Phelps County Commission declared a state of emergency, finding that proactive and extraordinary measures are necessary to prevent community spread of COVID-19; and

WHEREAS: On April 3, 2020 Missouri Governor Parson issued an Executive Stay-at-Home Order for the State of Missouri through April 24 and reissued through May 4, 2020; and

WHEREAS: On Monday, April 28, 2020 Missouri Governor Parson announced Phase 1 of the "Show Me Missouri Recovery Plan" which allows all Missouri businesses to open with safe-spacing requirements of six feet effective Monday, May 4, 2020;

WHEREAS: As of November 20, 2020 the Phelps/Maries County Health Department is reporting successive days of active positive cases in excess of 500, 40 cumulative deaths, and a positivity rate in excess of 16%; in addition, inpatient bed capacity in central Missouri is at 29%;

WHEREAS: pursuant to RSMo 192.021.1 the Phelps County Commission in cooperation with the Phelps/Maries County Health Department has the authority to issue reasonable quarantine orders and restrictions for the prevention and abatement of contagious diseases, including the authority to require the wearing of facial coverings and the practice of social distancing.

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

1.01 Applicability

The provisions of the Order are applicable to Phelps County pursuant to the authority of Missouri Revised Statute 192.300. Nothing in this Order is to be construed to supersede the Rules and Regulations of the Missouri Department of Health and Senior Services.

1.02 Definitions

For purposes of this Order, these terms, regardless of whether capitalized, are defined as follows:

"Business" means any for-profit company, non-profit organization, of benevolent association regardless of its legal organization, form, entity, tax-treatment or structure, but does not include any education institution or public governmental body subject to CDC, MO DESE or MO DHSS guidelines.

"County" means Phelps County, Missouri.

"Covid-19" is an illness due to an infection with SARS CoV-2, a novel Coronavirus.

"Face Covering" means a device that covers the nose and mouth.

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FACE COVERING ORDER, Continued:

"Social Distancing Requirements" means, to the extent possible, maintaining at least a six-foot physical distance from other individuals.

1.03 Purpose

This Order intends to institute standards for the requirement of face coverings when in a public space, with the goal to ensure people protect themselves and others, particularly those who are vulnerable to poorer outcomes related to COVID-19 infection. As face-to-face interactions increase, and as scientific evidence indicates COVID-19 is spread by asymptomatic and pre-symptomatic individuals, it is critical that all individuals wear face coverings in public spaces.

1.04 Provisions

1. Face coverings must be worn by:
 - a. All persons over the age of 11, including employees or visitors, present at any Business of Public Space; or
 - b. All persons over the age of 11 when outdoors in a public space when anyone other than members of their household or living unit will be within six feet; or
 - c. All persons over the age of 11 attending a gathering of individuals who are not members of their household in any area, which will necessarily involve close contact or proximity to others when six feet of separation is not feasible. This restriction does not apply to gatherings of individuals at personal residences.
2. Those not subject to this requirement include:
 - a. Children under the age of 3;
 - b. Children between the ages of 3 and 11 are strongly encouraged, but not required, to wear a face covering while under the direct supervision of an adult;
 - c. Persons with health conditions that prohibit wearing a face covering. Nothing in this Order shall require the use of a face covering by any person for whom doing so would be contrary to their health or safety because of a medical condition;
 - d. Persons who have trouble breathing, or are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance;
 - e. Persons who are hearing impaired, or someone who is communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
 - f. Persons who are at a place of business or public space who are consuming food or drink while adequately distanced from other patrons and staff;
 - g. Persons who are at a public pool while in the water;
 - h. Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service; and
 - i. Persons playing a sport;
 - j. Persons exercising or using exercise equipment where participants are at least 6 feet apart.
3. All businesses and other entities that provide a public space must post the requirement that face coverings are

PHELPS COUNTY COMMISSION RECORD

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FACE COVERING ORDER, Continued:

required for entry and must continuously be worn while present in the business or on the premises unless excepted above.

4. Businesses are authorized to deny entry to members of the public who refuse to wear face coverings. A Business shall neither require the individual to produce medical documentation verifying a medical condition or disability nor ask about the nature of a medical condition or disability.

1.05 Application and Enforcement

Failure to comply with a public health order designed to "prevent the entrance of infectious, contagious, communicable or danger diseases" into Phelps County is enforceable and punishable under Missouri law. The Phelps County Prosecuting Attorney can seek emergency injunctive relief or other civil relief to enforce any provision of this Order. Noncompliance with this Order may also disqualify businesses from future financial benefits.

In addition to other civil and criminal penalties that may be sought, the Phelps County Health Department may enforce this Order. In accordance with 19 CSR 20-20.040 and Phelps County Ordinance 2020-11-24 (1), the Health Department has the authority to establish appropriate control measures to prevent or control the spread of an infectious disease, including isolation, quarantine, disinfection, and closure of establishments in the interest of public health. In exercising its authority under 19 CSR 10-20.040, the Health Department may proceed with closures and enforcement actions including:

- a. At the individual level, including isolation and quarantine of cases, family members, and close contacts;
- b. At the business level by location of transmission;
- c. At the industry/sector level, if businesses in that industry are found to be particularly associated with transmission.

The maximum punishment that may be imposed for a violation of this Order, which by statute is a class A misdemeanor, is a fine not to exceed one thousand dollars.

1.06 Immunity

Neither Phelps County, nor any political subdivision in the County, nor any local law enforcement agency, nor the Phelps/Maries Health Department, nor any of the employees, agents, contractors or volunteers assisting these organizations, shall be held responsible for any lost wages, income or other damages due to the requirements imposed hereunder.

1.07 Effective Date

This Order shall be in full force and effect beginning 12:01 a.m. Monday, November 30, 2020. This Emergency Order may be repealed, amended, or rescinded at any time by the Phelps County Commission. This Order shall remain in effect until February 2, 2021 or until revoked by the Phelps County Commission.

PHELPS COUNTY COMMISSION RECORD

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FACE COVERING ORDER, Continued:

PASSED and APPROVED this 24th day of November, 2020.

Randy Verkamp, Presiding Commissioner
Larry Stratman, Commissioner District 1
Gary W. Hicks, Commissioner District 2

ATTEST:

Pamela K. Grow, Phelps County Clerk

IN THE MATTER OF THE
PROPOSED 2021 WORK DATES CALENDAR:

This was reviewed and approved by the Commissioners.

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner

Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

