

Phelps County Commission Record
August 6, 2026 Eleventh Day of the July Term

Now at this 6th day of August, 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 local residents Louise Jenkins, Kim Kuntz, Helen Johnston and Sue Busch and the PCSD IT Rob Hribar.

In the matter of
PCSD Managed Services Provider Contract:

Hribar advised commission he has the contract for managed services provider contract for the Sheriff's department along with a letter from the county PA Banholzer advising she has reviewed the contract. Commissioner Hicks moved to approve the contract, Commissioner Stites seconded, motion carried.

Hribar left at 9:07 am.

In the matter of
Public Water Sewer District #4:

Auxier advised there is a sewer district in St. James that all the board members have resigned and moved and he has been contacted by state to have a meeting on what the county needs to do to appoint members to the district board.

Sheriff Mike Kirn entered at 9:12 am.

In the matter of
Emergency Management Contract:

Kirn provided the approved awarded contract for Emergency Management funding to the commission for signature.

Kirn left at 9:16 am.

In the matter of
Review of Minutes:

Commission reviewed and approved minutes from the 7/30 commission meeting.

Road and Bridge admin assistant Michelle Bock entered at 9:42 am followed by Amber Steinbarger from CASA at 9:45 am.

In the matter of
Data Center discussions:

Discussions were had on the concerns of data centers coming to our county. Further discussions were had on the concerns of resources taken from the community, what citizens should know and how to keep these from coming to our county.

Jamie Meyer from Prevention Consultant entered at 9:58 am.
Jenkins, Johnston, Kuntz and Busch left at 10:00 am.

In the matter of
Assessors Quarterly Report:

Commission reviewed and approved the Assessors Quarterly report for April-June.

In the matter of
LP Bid opening:

As scheduled commission opened the only 2 bids received as follows:

- MFA Oil opened at 10:01 am came in at \$1.30 a gallon
- Chilton Oil opened at 10:02 am came in at \$1.35 a gallon

Discussions were had on the 2 bids and the service provided by both companies. Commissioner Stites moved to accept Chilton's bid after discussions, Commissioner Hicks seconded, motion carried.

In the matter of
Rosati Railroad Closure:

Discussions were had on the liability on the county after meeting with the MODOT and BNSF engineers. Further discussion was had on the commission is standing firm with the decision of closing the crossing after the fatality accident at the Rosati rail crossing.

In the matter of
Opioid funding request:

Meyer and AMBER advised commission they are here to resubmit an amended request of Opioid funding to purchase a vehicle for CASA to utilize when picking up and traveling children that have been affected by Opioid abuse in some way. Commissioner Hicks moved to approve the request of Opioid funding for the purchase of a ford explorer in the amount of \$66,188.00 for CASA, Commissioner Auxier seconded, motion carried.

In the matter of
MRPC Grant Writing hours:

Discussions were had on allocating the remaining 9 hrs of the grant writing offered by MRPC to CASA for any grants they need assistance with this year. Commissioner

Steinbarger left at 10:21 am.

Steinbarger reentered at 10:27 am followed by Treasurer Cathy Tipton at 10:27 am.

In the matter of
Opioid fund board updates:

Meyer advised commission he has reached out to Charles Christmas to fill Calvert's open seat on the board. Commissioner Hicks moved to approve appointing Charles Christmas to the Opioid fund board, Commissioner Stites seconded, motion carried. Meyer further provided documentation to commission showing statistics of opioid/alcohol/tobacco use by students over a 2-year timeframe. Discussions were had on the reports and the impact the "Too Good for Drugs Program" has had by utilizing the opioid funds to reach younger children. Meyer presented commission with a request to fund this program again since it has been successful. Commissioner Stites moved to approve the funding of \$50,021.00 to the "Too Good for Drugs Program", Commissioner Hicks seconded, motion carried. Further discussions were had on needing to add a timeframe for the funding to be utilized on all approved allocations, which will prevent stagnant funds that were allocated and not being used timely. Meyer also presented commission with the renewal contract for the Compass Health Mentoring program. Commissioner Stites moved to approve the Mentor program in the amount of \$52,708.00, Commissioner Hicks seconded, motion carried.

Steinbarger, Meyer and Tipton left at 10:55 am.

In the matter of
MRPC Membership Dues for FY26-27:

Commissioner Auxier advised we have received the invoice for FY26-27 Membership dues to MRPC. Commissioner Hicks moved to approve the invoice in the amount of \$13,975.50, Commissioner Stites seconded, motion carried.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of \$20,841.99 for August Contract pay, \$98,532.86 for A - L and \$69,672.10 M - Z.

Shenefield entered at 11:10 am.

In the matter of
Phelps Heath updates:

Shenefield advised the ER Expansion project is going well and seems to be on track. He further advised they have moved all women's health to the first floor of the MOB building and looking at making some more moves to help the community with access and to find areas where the hospital can expand further. Shenefield further advised he is expanding out at the clinic in St James due to the hiring of a new Physician. He advised he is also looking at potential properties in hopes of being able to provide an afterhours clinic to the St. James community.

Detective Shawn Hedge entered at 11:41 am followed by HR Payroll Specialist Amy Asberry at 11:42 am.
Shenefield left at 11:43 am.

In the matter of
ICAC contact:

Hedge provided commission with the awarded contract in the amount of \$168,386.85 for Cybercrimes. Commissioner Stites moved to approve the contract, Commissioner Hicks seconded, Motion carried.

Hedge left at 11:56 am.

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

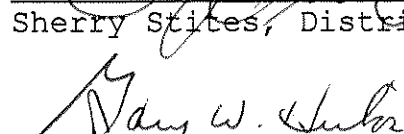
Read and approved,



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
August 11, 2026 Twelfth Day of the July Term

Now at this 11th day of August, 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 local residents Dianna Powelson, Andy Davis, Kari Craun, Kim Kuntz, Louise Jenkins, Helen Johnston, Mark Taylor, Megan Johnson, Pat Maxwell, ken Bergman, JW Copeland and Caroline Copeland.

In the matter of
Citizen input:

Craun advised commission she has seen a post going around about citizens getting contacted to sell some land for a battery storage facility. Discussions were had on some research that commission has done on the company (Toth) that is supposedly reaching out to land owners. Discussions were had on the company being associated with Sho-Me technologies. Commission advised further that after researching more they found that Toth looks to be linked to Quick Links engineering firm. M. Johnson advised she reached out to the acquisition agent and he acted surprised that his contact card was out there even though the land owners advised he approached them physically and introduced himself to them. Commission further advised they can not put into play a moratorium until they know for sure a data center is coming since the moratorium is only good for 180 days. Taylor advised he was contacted by some friends about the centers and he advised he created a website called www.preserveruralland.com. He further advised there are 5 statutes that the commission can refer to in order to put steps in place to protect the citizens and land owners in the county. Commission further advised the citizens need to be looking at the state legislatures to see what they are doing on the matter because this is an issue all across the state.

Johnson, Maxwell and Craun left at 9:30 am.

In the matter of
Review of Minutes:

Commission reviewed and approved minutes from the 7/28 and 8/6 commission meetings.

Local residents Gene Deluca and Chester Kojro entered at 9:34 am followed by Kim Gibson, Dottie Taylor, Bruce Taylor, Christine Robertson, Lela Wibbenmeyer, Freda Schmidt, Barry Heidemann, Robert Burris, J&T Zulpo, Nancy Gorman, Tom Luebbert, Steve Zulpo, Diane Leigh, Dan Leigh, Jim DiPardo and Joshua Flegel.

In the matter of
County purchasing policy:

Johnson provided commission with an example Purchasing policy and advised commission after attending a grant management training this was advised and several agencies have this in place. Johnson advised this would not only be beneficial for obtaining grant funding but would also be beneficial for budget consciousness in each department. Commission advised to have Johnson create a template for them to approve and adopt at a later date.

Johnson and Maxwell reentered at 9:46 am.

In the matter of
Data center discussion continued:

Wibbenmeyer advised she along with several others have been contacted by the individual in question. Further discussions were had on Wibbenmeyer and Robertson advising they will gladly provide the contact information and documentation to the commission so they can do some research and ask questions. Bartle reiterated that she just wanted to be transparent and make sure everyone is aware of the possible development coming to the area.

Banholzer entered at 9:56 am.
All residents left at 9:59 am.

In the matter of
Closed Session:

Stites moved to go to closed session pursuant to RSMo 610.021(1), Commissioner Hicks seconded, motion carried, moved to closed session at 10:00 am.

Commissioner Hicks moved to go back into open session, Commissioner Stites seconded, motion carried and returned at 10:16 am.

All formerly present residents reentered at 10:16 am.
Kojro left at 10:29 am.

In the matter of
Rosati Rail crossing closure:

Commissioner Auxier advised do to there already being a decision on the matter of the closing commissioner Stites or Hicks has to advise if they want to hear any further business on the matter. Stites advised she will listen to Mr. Deluca out of respect for him and the others in attendance. Deluca asked which commissioners were for closing it. Hicks and Stites raised their hands. Deluca asked what statutes were used to close this crossing. Stites advised there were no statutes on the county end and further asked if Deluca informed everyone of the

discussion that she had with him on the process. Deluca advised no he did not record the meeting. Stites advised everyone that this crossing for public safety concerns started with a meeting Deluca had with Representative Tara Peters. Peters secured funds for lights and arms for the crossing which started the process with engineering at MODOT rail and BNSF. After discussions over the last 18 months with the engineers, it was advised by the commission that there was no true way to make the crossing safe the decision was made to close it. Deluca advised the fatality accident was the only one had at that crossing in 100 years and another resident advised witnesses said the driver was distracted and not paying attention. Deluca advised in doing his research he determined there was \$500,000 out of \$5 million allotted at MODOTrail to give to the county for making crossings safer. Further discussions were had on the amount of money it would take away from the county to maintain the additional safety features. Deluca advised we need to get hard numbers on the cost of the crossing not just a word of mouth. Stites advised she and Auxier drove the distance from the crossing being closed to the next crossing that is already safely marked with arms and lights and it took 1 minute and 30 seconds to get back over to CR 3640 on the other side. Deluca further advised he wants the commission to contact MODOTrail and advise them to hold off closing since he feels the county did not follow the laws. Another resident advised there was no public hearing notice posted for anyone to be able to attend. County Clerk advised there was one posted because I make the agenda and I will gladly get you a copy of it if you want. Hicks advised post it according to sunshine law. Further discussions were had by several in attendance on how the residents want Cardetti Road crossing to stay open.

Danielle Jordan entered at 10:48 am followed by Johnson reentering at 10:51 am.

All Rosati residents in attendance left at 10:59 am.

In the matter of
Data Centers Re-discussed:

Jordan advised she was just curious if what she has heard about the centers being built was true. Discussions were had on the process of starting a moratorium and what it would take to keep data centers out. Commission advised the only way to truly stop these data centers is putting into place planning and zoning which would cost the county a lot of money. Jordan further asked could we get a petition to the state to amend the constitution not allowing these data centers. Commission advised yes you could do that. Jordan further asked if these centers come in and start digging land can the commission put in place a moratorium and potentially stop them from building and commission advised yes, they can get the moratorium set up quickly.

Jordan and Johnson left at 11:19 am.

In the matter of
Master Service Agreement:

Commission reviewed the proposed master service agreement and task orders for the county surveyor. Commissioner Hicks move to approve, Commissioner Stites seconded, motion carried.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of \$5,750.30 for Grand Jury Feb-July, \$159,558.35 for A - L and \$85,537.50 for M - Z.

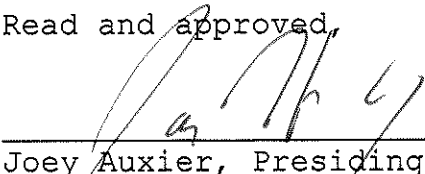
In the matter of
Floodplain application:

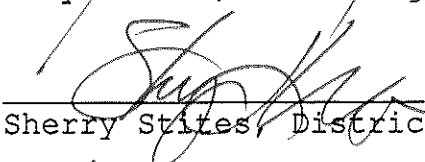
Commission reviewed the floodplain application from a resident that lives off Little Oaks but the application is for a property located off of County Road 7100. Commission called Tammy Snodgrass at MRPC about a concern on the size of culverts this applicant has put in and asked her to reach out to the applicant to get the correct sized culvert installed before commission can approve the floodplain application.

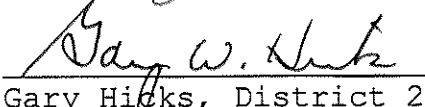
The Focus Reporter left at 11:53 am followed by Davis and Conner at 11:57 am.

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
August 13, 2026 Thirteenth Day of the July Term

Now at this 13th day of August, 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 local residents Helen Johnston, Karri Craun, Louise Jenkins, Freda Schmidt and Mark Taylor.

Commissioner Auxier advised the residents in attendance that if they are not scheduled on the agenda then they will have a chance to speak at 11:45 am as we have scheduled matters that need to be taken handled.

Craun, Johnston, Jenkins, Schmidt and Taylor left at 9:05 am.

In the matter of
Review of Minutes:

Commission reviewed and approved minutes from the 8/11 commission meeting.

The Focus Reporter entered at 9:15 am.

In the matter of
Task Orders for County Surveyor:

Commission reviewed the proposed Task Order Agreements with Bartlett West and the County Surveyor. Commissioner Stites moved to approve the Task Orders, Commissioner Hicks seconded, motion carried.

In the matter of
Tax Levy discussion and Solicitation for review:

Johnson provided commission with the projected tax levy that includes the 50% roll back that was enacted by vote of the citizens in 1981. She further advised due to there not being a quorum on 8/27 the hearing will be held on Tuesday 9/1/26 @ 9 am.

HR/Payroll Specialist Amy Asberry entered at 10:28 am.
The Focus reporter left at 10:30 am.

In the matter of
Closed Session:

Commissioner Stites moved to go into closed session pursuant to RSMo 610.021(3), Commissioner Hicks seconded, motion carried and moved to closed session at 10:30 am.

Commissioner Hicks moved to return to open session, Commissioner Stites seconded, motion carried and moved to open session at 11:00 am.

Dale Martin and Josh Vroman entered at 11:00 am.

Asberry left at 11:00 am.

Jenkins, Johnston, Craun and Schmidt re-entered at 11:36 am.

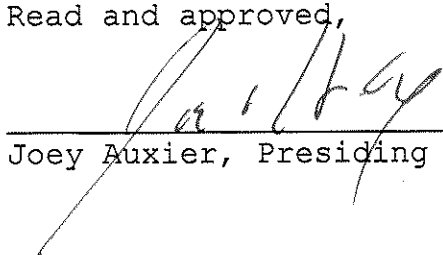
Vroman left at 11:38 am.

In the matter of
Data Center discussions:

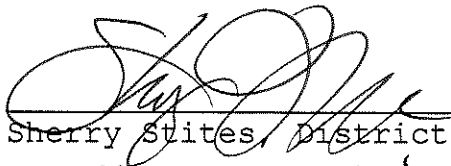
Craun advised she wants to be put on the agenda for a moratorium discussion as she has obtained example ordinances from Nodaway and Webster county. Commission advised the gentleman that just left is working on a bill that would enact a law for 3rd class counties to have the right to stipulate ordinances directed at Data Centers. Commission also advised they have a call in to an attorney to see if there is an option to extend the moratorium or put in place another one after that 180-day timeframe. Commission further advised they are not sitting on their hands and they are currently waiting for legal advice to direct them on how to proceed with this matter. Johnston advised she understands where commission is coming from but she feels that there is no need to delay putting in place an ordinance directed at data centers. Commission advised they can not do that without being sued due to the county not having any planning and zoning. Commission asked Craun what do we do when the moratorium is expired and then data centers come in to the county. Craun advised she will worry about that when we get there. Commission further reiterated but then you are uncovered due to wasting that timeline of enacting the moratorium. Johnston asked what the county plans to do to stop this. Auxier advised he is waiting for his attorney to reach out on how to proceed legally. Jenkins advised as a county resident, voter and tax payer she feels she is the lowest level and she looks at commission to be the voice of them. Auxier advised as of today he has no answer on the moratorium until he hears back from his attorney on how to legally protect the county and citizens. Stites advised the commission is getting emails and calls every day from the public on their stance with data centers. Auxier advised in order to enact planning and zoning they will have to put it on the ballot and come up with \$25,000 to pay for that and then he would also have to have a separate ballot measure for a funding source to hire and pay for the firm and employees to enforce the planning and zoning. Commissioner Stites further advised she appreciates all the ladies in attendance for doing some research and bringing it to the commission.

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

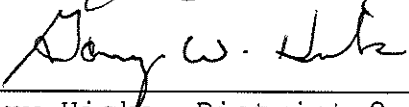
Read and approved,



Joey Auxier, Presiding Commissioner



Sherry Stites, District 1 Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
August 18, 2026 Fourteenth Day of the July Term

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

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

Also present were local residents Kari Craun, Dan Victor and Brittanie Carr.

In the matter of
Transportation Pilot:

Carr advised she is the Founder of a new 501C3 called "Hope Lives On" in Pulaski County. She advised there is a huge lack of transportation for elderly, drug court participants and citizens that do not have the ability to drive. She further advised she has tried reaching out to her commissioners in Pulaski County and is getting no response. She further advised she has been in contact with several members and is wanting to know if we could use our opioid funds to help with this program. Commission advised in Phelps County we have already allocated funding for drug court transportation that was approved and brought forth by the opioid board. Commission advised Ms. Carr to reach out to Mayor Wilson to see if there is a program like MRPC's 501C3 options in Pulaski County. Commissioner Auxier advised that she should reach out to the commissioners in Pulaski County as the opioid funds trickle in a few times a year.

Carr left at 9:20 am.

In the matter of
Land Survey Program contract:

County Clerk advised commission that she had been contacted by Amy Forsythe with Department of Agriculture asking if we had received our letter in the mail for participation this year. Clerk further advised Ms. Forsythe emailed a copy of the letter and asked if we wanted to participate in the program that would pay the county \$400.00 per remonumentation. Commissioner Hicks moved to accept the contract from Department of Agriculture for corner remonumentation program in our county, Commissioner Auxier seconded, motion carried.

Local resident Marsha Snodgrass entered at 9:35 am followed by Freda Schmidt and Louise Jenkins at 9:40 am and Marcia Burns at 9:43 am and Christine Robinson at 9:45 am and Morgan Bearden at 9:47 am and Dan Rivers at 9:49 am Joan Kirscher and Helen Johnson at 9:52 am Jerry Bartle and Jody Eberly at 9:53 am and The Focus Reporter at 9:58 am Deborah Christoff at 10:00 am ?? at 10:02 am.

In the matter of

Citizen Discussions of moratorium on data centers:

Craun introduced her self and her accomplishments in the county as this has been her home for several decades. She further advised she is not against data but she does feel there needs to be rules governing the data centers being erected in Missouri. Craun advised she would like to enact a moratorium in order to research these data centers and be able to have the moratorium create the stipulations for when these data centers come. She would like the land owners off south highway 63 speak as they are the ones that are currently being contacted via a battery energy facility storage. Craun further advised that the gentleman that has contact landowners will not provide her with any information. Craun asked land owners to please speak. Bartle advised the gentleman contacted him via phone a few weeks ago and he told the gentleman no he was not interested in selling. He further advised the gentleman said the company is willing to pay \$20,000 an acre but Bartle told him I am still not interested. When the gentleman advised he will stop by on his way through Bartle asked him what they are looking at putting on the land that they potentially would purchase. He was then provided a picture of a battery storage unit. Bartle advised he asked several other questions but the gentleman didn't have any answers and knew nothing. Bartle further advised the gentleman left his property and went over across the street to ask the Zika's if they would sell any land. Robinson advised she is not anti-technology and she understand these centers are coming but she does not want an unregulated data center in our county. She further advised there are data centers that are closed loop, stipulated noise policies and have to stay so many acres away from other property owners. She further advised the data centers could more than double our counties power draw if the centers do not provide their own power supply and she is worried that if there is not a closed loop water system it would be detrimental to our water table. Robinson advised again she is not anti-technology but we need to get ahead of this and make sure there are environmental safeties in place to prevent bad impacts. Commission advised they have a meeting scheduled today with our attorney to see what we are available to do by law without implementing planning and zoning. Commission advised they are not going to knee jerk reach and break the laws. Commission further advised they are waiting to see what the attorney advises before making any decisions. Further discussions were had on if we want to enact planning and zoning it has to go to the vote of the people and it will be a two-part ballot measure 1 - to implement planning and zoning and 2 - how Planning and Zoning will be paid for (like via a tax).

Snodgrass, Christoff, Bartle, Robinson, Burns, Schmidt, and Eberly left at 10:28 am.

All in attendance left at 11:00 am.

Prosecuting Attorney Taylor Banholzer entered at 11:02 am.

In the matter of

Closed session:

Commissioner Hicks moved to go into closed session pursuant to RSMo 610.021 (1), Commissioner Auxier seconded, motion carried moved to closed session at 11:01 am.

Commissioner Hicks moved to return to open session, Commissioner Auxier seconded, motion carried and returned to open session at 11:50 am.

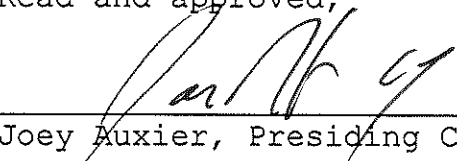
Helen Johnson and Joan Kirscher re-entered at 11:51 am.

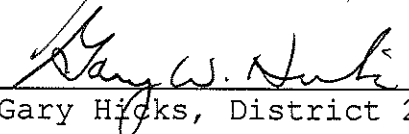
In the matter of
Public Comment session:

Johnson advised she does feel that a moratorium would be beneficial to help provide time for research and good outlined stipulations for Data Centers. She further advised she knows these centers are needed for cellphone/internet/medical information. She further advised she wants to find a way to work together as citizens and commission. Commissioner Hicks advised they just learned that there are ways for the county to negotiate stipulations like closed circuit water, own energy source and sound walls. Auxier further advised that some counties during these negotiations have even come to a tax abatement agreement. Kircher advised she knows there is going to be an impact on the community and she further advised what benefit would this have on the community. Commission further advised the moratorium is your silver bullet that gives you 6 months from when a data center is coming in order to create stipulations on that developing center. Johnson advised she does not want to talk in circles so she asked are we supposed to sit and wait. Commission advised no not necessarily and further advised you and the others that want the planning and zoning can put that measure on the ballot and you all would need to pay for it. Further discussions were had on directing Johnson and Kircher to look at chapters 46-70 of the Missouri Revisor that outlines planning and zoning in a county.

Hearing no other business commission adjourned at 12:03 pm.

Read and approved,


Joey Auxier, Presiding Commissioner


Gary Hicks, District 2 Commissioner

Phelps County Commission Record
August 20, 2026 Fifteenth Day of the July Term

Now at this 20th day of August, 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 Ray Schwartz and Dianna Powelson.

County Clerk moved to appoint Commissioner Hicks as acting Presiding Commissioner in the absence of Presiding Commissioner Auxier, Commissioner Stites seconded, motion carried.

In the matter of
Data Center inquest:

Powelson advised she is just interested in knowing what is happening with the data centers. Hicks advised a quick synopsis is that after speaking with several attorneys and other counties, they are not planning to do anything at the moment and are going to continue researching. Hicks advised without planning and zoning, that has to go to a vote of the people, the county does not have the authority to implement an ordinance outside of safety of the public. Powelson advised she understands and discussion was had on the need to wait so we do not waste the moratorium before we can use it. Stites further advised everyone is using data every single day and AI has become such a huge service. Stites advised she is not against the data centers but she is also not for them until more research is available to make a sound decision. Powelson advised her son works in waste and water at Fort Wood and he know there are ways to purify water sources.

The Focus Reporter entered at 9:18 am.

Discussions were had on the closed loop circuits and the research that shows how this water is sent to a lagoon style holding. Commission reiterated there is just more research needed and these mega centers need 1,000 acres to build which Phelps county does not have. Discussions were had that a recent legal counsel call advised the county may have some influence in negotiations with the developers.

Treasurer Cathy Tipton entered at 9:29 am.

In the matter of
Treasurer Reports:

Tipton provided commission with reports on the following:

*Opioid fund- totals received in July were \$132,743.53 from 4 companies' payments and advised there is at least 1 more incoming payment this year.

*CART fund - Motor Fuel Tax is at or slightly over what was budgeted, up roughly 11% from last year.
*Motor Vehicles Sales up roughly 3% from this time last year.
*Motor Vehicle Fees up roughly 3% from this time last year.
*USE tax - as of yesterday the total revenue received is \$1.3 million and we have expended \$121,704.84
*SALES tax - up 15% from July and up 6% compared to this time last year.
*Unemployment CD - up for renewal soon and do we need to go out to bid again. Set for bid opening on 9/10 @ 9am.

Powelson left at 9:47 am followed by The Focus Reporter and Schwartz at 9:48 am.

In the matter of
Closed Session:

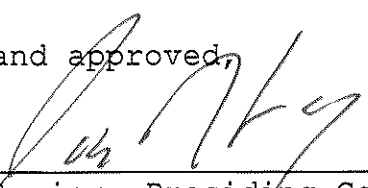
Commissioner Stites moved to go into closed session pursuant to RSMo 610.021(14), Commissioner Hicks seconded, motion carried.

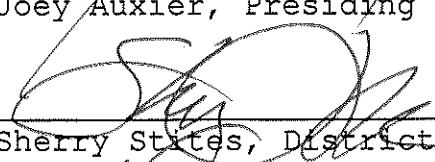
Commissioner Hicks moved to return to open session, Commissioner Stites seconded, motion carried and returned to open session at 10:30 am.

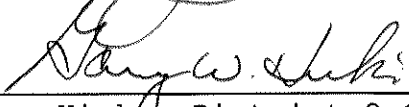
Tipton left at 10:40 am.
Collector Faith Barnes entered at 10:52 am and left at 11:30 am.

Hearing no other business commission adjourned at 11:53 am.

Read and approved,



Joey Auxier, Presiding Commissioner

Sherry Stites, District 1 Commissioner

Gary Hicks, District 2 Commissioner

Phelps County Commission Record
August 25, 2026 Sixteenth Day of the July Term

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

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

Commissioner Stites was absent due to being out of state.

Also present were local citizens Morgan Bearden, Kari Craun, Helen Johnson, Kim Kuntz, Alan Knaup, Brenda Knaup, Steve Adam, Hayden Brown, Michelle Brown, Wayne Lugg, Cecil Gregory and Lily Wyatt.

In the matter of
Review of Minutes:

Commission reviewed and approved minutes from the 8/20 commission meeting.

In the matter of
TEAP Study application:

Commissioner Hicks moved to accept having GRE submit an application for a TEAP study to be done on Old St. James Road, Commissioner Auxier seconded, motion carried.

Dianna Powelson, Agnes Uhls, Talitha Baker, Charles Baker, Freda Schmidt, Chris Vierrether, April Spencer, James Spencer, Lucinda Jones, Ed Jones, Gayle Bodenhamer, Mark Eudaly, Brandon Rhea, Amber Rhea, Ted Constantin, Sandra Smith, Leonard Queen, Lynne Black, Paul Rhodes, Vanessa Finnell, Katrina Curnutt, Joan Kircher, Melissa Rhyneer, Richard Schaffer, Dale Jones.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of \$27,703.66 for UMB Bank July26 50% EATS Rolla Westside TIF, \$7,352.62 for August 07 PR Great-West & Nationwide, \$7,734.89 for August 21 PR Great-West & Nationwide, \$23,132.50 for August 2026 Election Judge pay, \$320,155.96 for A - L and \$74,925.84 for M - Z.

Local resident Marsha Snodgrass entered at 9:40 am followed by Barbara Marcus and Marsha Burns at 9:41 am, Sue Busch at 9:44 am, Carla Bates at 9:45 am, Bonnie Kinnaird at 9:47 am and Rosemary Pherigo at 9:56 am.

In the matter of
Citizen Discussion on Moratorium on Data Centers:

Craun addressed commission and all in attendance providing commission with a packet of information she has obtained and advised she is giving it to the recorder to be recorded. Craun introduced herself to all in attendance and gave a brief run down of why she is here today and then asked commission if they know of a data center coming into Phelps County. Auxier advised they have not been approached or know of any Data Centers coming to the area. He advised there were some land owners approached about a battery substation which started the talk of data centers. He further advised everyone that if one comes, he will not sign an NDA and he will let everyone know that one has approached him. Craun then asked commission to share what they found out after speaking to an attorney on the matter. Auxier advised after speaking with an attorney the county was advised not to implement a moratorium until there is factual documentation that a data center is coming as then the county can negotiate with the center to implement regulations before they break ground. He further advised he is not going to put a moratorium in place until there is a confirmed data center coming to our county as he does not want to waste that and not have it when we will potentially need it. A citizen in the back of the room asked when the battery power station is being built. Commission advised there is not one at this time as the land owners that were approached did not sell. The citizen further advised then shouldn't we wait to implement the moratorium until that is in the process since that is likely what will lead to a data center coming and that will allow us 6 months to make a plan on regulations. Commission further advised the only way to stop these centers from coming to our county is by implementing planning and zoning and that has to go to the vote of the people. Commission further advised those in attendance if they want to pay to get this on the ballot and they can come up with the \$25,000 to put it on the ballot as well as provide a certifiable petition, then they can contact the county clerk to have that placed on the ballot.

All in attendance left at 10:05 am except for Kuntz, Johnson and Busch who remained.

Tonya Greven and Mike Scott from BPJ entered at 10:05 am.

Kuntz, Johnson and Busch left at 10:14 am.

In the matter of
BPJ Quarterly updates:

Scott provided commission with reports for our quarterly update of county insurance. Discussions were had on no pending stop loss settlements and claims were also down thanks to the rebates on the plan. Discussions were had on the county being one of the riches plans at a lower rate compared to other companies in the area.

Collector Faith Barnes entered at 10:51 am.

Further discussion was had on the number of employees enrolled being slightly down which is likely from turn over. The average discount on Medical Claims went from only 37% last year to 55% this year. This drastic change is due to the employees utilizing all the plan benefits available to them.

Greven and Scott left at 11:47 am.
Local resident Tom Pasley entered at 11:54 am.

In the matter of
Crisis Intervention fund request:

Commission reviewed the request for use of Crisis intervention funds to fumigate a residence. Commissioner Hicks moved to approve the request to SHO-MO pest for a CPS case, Commissioner Auxier seconded, motion carried.

Former Sewer District 4 board member Jeff Davis called into commission at 11:55 am.

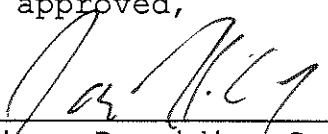
In the matter of
Sewer District 4 Pump:

Davis advised commission that Sewer District 4 is out of back up pumps and there is one that is out. Discussion was had on the commission approving the purchase of a pump to fix the one that is not working since there is no board at the moment.

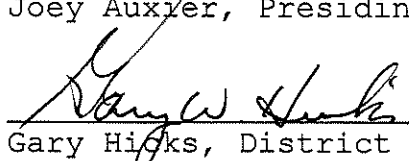
Pasley left at 11:58 am.

Hearing no other business commission adjourned at 12:01 pm.

Read and approved,



Joey Auxier, Presiding Commissioner



Gary Hicks, District 2 Commissioner

Phelps County Commission Record
August 27, 2026 Seventeenth Day of the July Term

Now at this 27th day of August, Commission met pursuant to adjournment and a quorum was present of the following members:

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

Commissioner Stites was absent due to being out of state.

Also present was Deputy County Surveyor Don Diehl.

In the matter of
Jerome property encroachments:

Diehl provided commission with plat maps for the Jerome properties showing encroachments. Discussions were had on where the corner surveying markers are at along the property boundaries. Further discussions were had on placing large boulders at the corners that could withstand flooding and be more aesthetically pleasing to the property owners in the area. Discussions were had on Furse property LLC having placed 2 RV lots on the county's plot of land located at lots 33 & 34. Discussions were also had on the gravel that was laid on County Parcel numbers 05011.24 and 04995.00 and 04996.00. Further discussions were had on the need to send a certified letter to Furse Property LLC ordering the removal of the plumbing, sewer and electrical that was placed on County property. It is noted that per FEMA regulations the county can not develop any of the plots they own in Jerome. Further discussions were had on also sending a letter to Bryan and Stacy Wilson ordering the removal of gravel and brush that was placed on county property (lot 20).

Diehl left at 9:31 am.

HR/Payroll Specialist Amy Asberry entered at 9:37 am.

In the matter of
Salaried employee accruals:

Discussions were had on the differences outlined on Hourly vs Salaried employees' accruals.

Asberry left at 10:09 am.

In the matter of
Citizen inquiry:

A Citizen called commission advising they need their road mowed on CR 4220. Commission apologized for the inconvenience and explained that both of the road mowers are down and waiting for repairs.

Collector Faith Barns entered at 10:12 am and left at 10:20 am.

In the matter of
Review of Minutes:

Commission reviewed and approved minutes from the 8/25
commission meeting.

In the matter of
Accounts Payable:

Commission reviewed and approved invoices in the amounts of
\$19,743.91 for Attorney Payment/Sheriff AT&T.

In the matter of
Floodplain Contract w/ MRPC:

Commission reviewed the submitted Floodplain contract that was
sent in by MRPC for floodplain administrative services in Phelps
County. Commissioner Hicks moved to approve the Contract,
Commissioner Auxier seconded, motion carried.

In the matter of
Floodplain program discussion:

Discussions were had on the current floodplain program ordinance
and the need to find a qualified floodplain administrator to
take over the program with the current admin retiring soon.

In the matter of
Real Property Court order:

Commission reviewed and approved the real Property court
2025000043 removing nuisance fees.

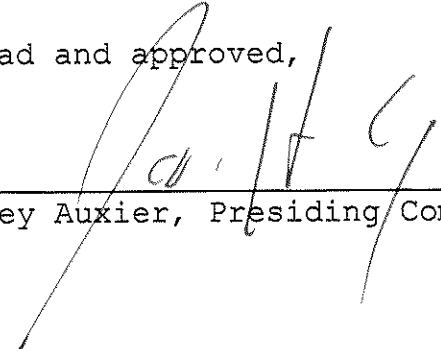
Local resident Pat Houser entered at 11:35 am and left at 11:40
am.

In the matter of
Flock Cameras:

A Citizen Rodney Travis Yoakum called in to commission to
inquire about the flock cameras. The citizen advised he was
curious of the process to have these put in place. He further
advised he spoke with Captain Hope at the sheriff's department
and he did not get all of his questions answered. He further
advised he is thinking about submitting a sunshine request to
the sheriff requesting the contract.

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

Read and approved,



Joey Auxier, Presiding Commissioner



Gary W. Hicks
Gary Hicks, District 2 Commissioner



