

PHELPS COUNTY COMMISSION RECORD

August 2, 2016 Tenth day of the July term

Now at this the 2nd day of August 2016 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 REAL PROPERTY COURT ORDER:

Local resident Don Riley and Rolla Daily News Editor John Buckner were present. Collector Davis Haas presented a real property court order for parcel number 2014-4042.01, owned by Elliott/McDonald Outdoor Advertising, Inc, 6320 Spencer Road, Bonne Terre, MO which erroneously carried a Nuisance Fee of \$1,587.07; this was removed by court order approved on a motion by Commissioner Hicks, seconded by Commissioner Stratman.

IN THE MATTER OF SENIOR COMPANIONS:

Senior Companions Director Jan Boatright informed the Commission that because of her grant arrangements she was eligible to accept an additional \$7,699. Josh Lyman, Program Officer for the Corporation for National and Community Service, said that she would be required to match the extra funds with the 80/20 ratio. On a motion by Commissioner Stratman, seconded by Commissioner Hicks, this was approved.

IN THE MATTER OF MOOSE LODGE AND FLOODPLAIN ADMINISTRATION:

Lyle Thomas of MRPC presented a Letter of Map Revision based on Fill (LOMR-F) which would have to be applied to the Rolla Moose Lodge. The maps would have to be redrawn, in order to exclude the site from the floodplain. Thomas said that the building had never been flooded; the owners wanted to cancel their flood insurance. Before this could be done, Thomas said information from an Engineer would be needed. He will gather this data and return with it to the Commission for their response.

IN THE MATTER OF ROAD EQUIPMENT:

Superintendent of Roads Walter Snelson came to speak about some equipment accruing extra hours of use because a new mower was not received in a timely way. He will speak with John Deere to see if the overage on the older equipment can be deducted, at least in part, from the cost of the new mower.

IN THE MATTER OF ACCOUNTS PAYABLE:

The Commission reviewed and approved the payment of 4 invoices for a total of \$1,202.77. Also, they reviewed payment of 40 invoices for a total of \$174,637.36.

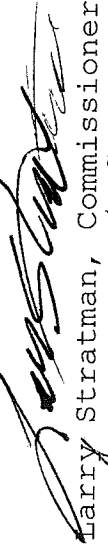
PHELPS COUNTY COMMISSION RECORD

August 2, 2016 Tenth day of the July term

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 4, 2016 Eleventh day of the July term

Now at this the 4th day of August 2016 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
ROAD 7520:

County residents Todd and Colleen Humphrey came to discuss the condition of their road. Local resident Don Riley and Rolla Daily News Editor John Buckner were also present. The road was chip and sealed in phases during the 1990's. They believe a few residents paid for the majority of this. There was mention made of current logging work and heavy trucks using the west end of the road. Mr. Humphrey thought maybe the soft spots should be fixed; additionally, he said there are problems with scaffolds regarding the 35 mph speed limit.

IN THE MATTER OF
TELECOMMUNICATIONS PROVIDER:

Support Services Director Mark Brookshire spoke with the Commission regarding the contract for local telephone service. The long distance service will need to be bid early in 2017, as the current contract terminates July 2017.

IN THE MATTER OF PROSECUTOR'S
OFFICE GRANT APPLICATIONS:

Crystal Cox from the Prosecuting Attorney's office came to discuss four grants being applied for. There is a statewide grant from Missouri Prosecutor's Services which would provide funding for a part-time victim services employee; Phelps and Texas Counties would equally share an advocate for 40 hours per week. The expense would be 100% reimbursed by the state. A general victim advocacy grant, approximately 10% of the time would be spent on sexual assault cases, and a small percentage to other fields. The Prosecutor will participate in this individual's direct supervision over the 18 month term. Texas County currently has a potential applicant who worked in probation and parole. On a motion by Commissioner Stratman, seconded by Commissioner Hicks, this was approved.

IN THE MATTER OF
CHAPTER 353 FINANCING:

Presiding Commissioner Verkamp presented information the county had received as a taxing district of a public hearing for the 1101 McCutchen Drive Redevelopment Plan to occur at 6:30 p.m. on Monday, August 15, 2016, at Rolla City Hall. This plan proposes the renovation and rehabilitation of the existing apartments located at the McCutchen Drive address, utilizing real property tax abatement pursuant to Chapter 353 of RSMo.

IN THE MATTER OF EMPLOYEE
MEDICAL COVERAGE BENEFIT:

PHELPS COUNTY COMMISSION RECORD

August 4, 2016 Eleventh day of the July term

EMPLOYEE MEDICAL COVERAGE BENEFIT, Continued:

The Commission reviewed the July, 2016 Benefit Management Report from Group Benefit Services, the third party administrator for the self-funded medical insurance plan offered by the county. The loss ratio has risen to 133%; YTD claims subject to aggregate totaled \$554,185.96, and YTD aggregate liability was \$417,720.49.

IN THE MATTER OF
HAZARD MITIGATION PLANNING:

The Commission reviewed and approved the payment of the second half of the cash match required per agreement with MRPC to update the County Hazard Mitigation Plan, the amount being \$1,834.00. Commissioner Hicks moved, Commissioner Stratman seconded, the motion.

IN THE MATTER OF
ACCOUNTS PAYABLE:


Accounts payable consisting of \$176,983.41 for payment of 29 invoices, including \$75,695.50 to Group Benefit Services, was reviewed by the Commission and approved.

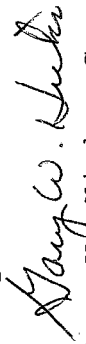
IN THE MATTER OF
PWSD #4:

Kurt Voss visited with the Commission about the ongoing situation with delinquent accounts among the homes in the district.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 9, 2016 Twelfth day of the July term

Now at this the 9th day of August 2016 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 NORTHWYE
OUTER ROAD EARTHWORK BID:

Anne McClay, Senior Project Coordinator for the city of Rolla Public Works Department, presented plans for the earthwork for the road, and these were approved on a motion by Commissioner Hicks, seconded by Commissioner Stratman. Subsequently the Commission reviewed the bid solicitation for the earthwork and the bid was approved on a motion by Commissioner Stratman and seconded by Commissioner Hicks:

The Phelps County Commission, an equal opportunity employer, hereby requests bids for the following project: **North Outer Road Grading 2014-PF-12**

Bids will be accepted until 9:00 a.m., on Thursday, September 1, 2016, in the office of the Phelps County Clerk, 200 N. Main St. Suite 102, Rolla, Missouri, at which time they will be opened. Bids shall be submitted in a sealed envelope and clearly marked "**North Outer Road Grading 2014-PF-12.**"

Project consists of the installation of grading for a new North Outer Road.

The Contractor shall be responsible for compliance with Section 290.250 of the Revised Missouri Statutes pertaining to prevailing wages.

Bidders are informed that pursuant to Section 285.530, R.S.Mo, as a condition of the award of any contract in excess of five thousand dollars (\$5,000.00), the successful bidder shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection to the contracted services. Successful bidders shall also sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection to the contracted services.

Bidders are informed that the project is subject to the requirements of Section 292.675, R.S.Mo, which requires all contractors or subcontractors doing work on the project to provide, and require its on-site employees to complete a ten (10) hour course in construction safety and health approved by the Occupation Safety and Health Administration ("OSHA"), or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA program. The training must be completed within sixty (60) days of the date work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

All bidding Contractors shall be expected to review the scope of the work with a representative of the City of Rolla

PHELPS COUNTY COMMISSION RECORD

August 9, 2016 Twelfth day of the July term

NORTHWYE OUTER ROAD EARTHWORK BID, Continued:

Public Works Department prior to bidding and attend the pre-bid conference, scheduled for Monday, August 29th, 2016 at 11:00 a.m. in the Public Works Department-4th Floor City Hall 901 N. Elm St.

All bids shall be on the proposal form provided and shall be accompanied by submittals and a bid bond issued by an acceptable surety company and payable to the order of the Phelps County Commission, for not less than five percent (5%) of the total amount of the bid.

The Phelps County Commission hereby notifies all bidders that it will affirmatively insure that in any contract entered into pursuant to this advertisement, Disadvantaged Business Enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, or national origin in consideration for an award.

The successful Contractor shall be expected to proceed as expeditiously as possible upon receipt of the NOTICE TO PROCEED and complete the project within **ninety (90)** calendar days.

The Contractor shall perform with its own organization contract work amounting to not less than 30 percent of the total original contract price, excluding any specialty items designated by the State.

Payment shall be based on actual measured quantities.

The project will be awarded to the lowest, responsive, responsible bidder.

The Commission reserves the right to reject any and all bids. All work shall be done in adherence to the Missouri Standard Specifications for Highway Construction (2011).

The 2011 Missouri Standard Specifications for Highway Construction as well as updates to the specifications can be viewed at:

<http://www.modot.state.mo.us/business/standards and specs/highway specs.htm>. The updates can be found in the supplemental Specifications and the General Provisions and Supplemental Specifications at the MoDOT site.

Section 109.14 of the Missouri Standard Specifications for Highway Construction, 2011 Edition will be excluded from the specifications for this project.

Utilities will need to be relocated for this project. All utilities will be relocated before the NOTICE TO PROCEED. It is the contractor's responsibility to verify the location of all existing utilities. Please refer to the index sheet of project plans for phone numbers associated with appropriate utility companies.

Bid documents, specifications and map showing job sites may be reviewed in, or purchased for \$50.00 from the Rolla Public Works Department, Rolla City Hall, 4th Floor, 901 North Elm Street, Rolla, Missouri 65401. Bid documents are available now and can be picked up Monday through Friday, 8:00 a.m. to 5:00 p.m. from Darin Pryor, P.E./Engineer.

By the order of the Phelps County Commission, this 9th day of August, 2016.

s/s Pamela K. Grow, Phelps County Clerk

PUBLISH: Rolla Daily News - August 10, 17, 24, 2016

PHELPS COUNTY COMMISSION RECORD

August 9, 2016 Twelfth day of the July term

IN THE MATTER OF A SALES
PRESENTATION FROM GFI DIGITAL:

The Commission heard a sales presentation from Leigh Ann Bowmann, with GFI digital. Public Administrator Kathy Oliver had signed a lease agreement which was approved on a motion by Commissioner Hicks, seconded by Commissioner Stratman.

IN THE MATTER OF
7050 BRIDGE:

On a motion by Commissioner Stratman, seconded by Commissioner Hicks, the request for reimbursement under the federal BRO program for \$149,045.95 was approved. Plans were made for the ribbon cutting on the bridge at 11:00 a.m. on 8/18/2016.

IN THE MATTER OF
SALES TAX REPORT:

Treasurer Carol Green presented the August 2016 Sales Tax Report, which showed county revenue and law enforcement sales tax revenues of \$199,455.47 and \$149,591.72, respectively. These were up 26.35%, 4.97%, and 6.46% for the month-to-month, YTD, and rolling 12 month comparisons.

IN THE MATTER OF
ENGINEERING SERVICES:

Commissioner Hicks moved, Commissioner Stratman seconded, that the final bill on the 7050 bridge from Archer-Elgin Engineering for \$2,249.79 be paid and submitted to Mo DOT for reimbursement.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 52 invoices for a total of \$52,322.77.

IN THE MATTER OF
PAYROLL:

The Commission reviewed and approved net payroll of \$157,522.90, federal withholding of \$55,476.55, and state withholding of \$7,228.50.

IN THE MATTER OF
LIQUOR LICENSES:

Deputy County Clerk Tessa Piatt asked the Commission for guidance on an establishment in Phelps County which had paid for 50 caterer's licenses for events all over the state, not just within Phelps County. The Commission advised her that it would be better to charge the business only for events within Phelps County, and that the liquor licenses not be considered transferable to other counties. The extra amount will be refunded to the business.

IN THE MATTER OF
COUNTY ROAD 4120:

PHELPS COUNTY COMMISSION RECORD

August 9, 2016 Twelfth day of the July term

COUNTY ROAD 4120, Continued:

John Renwick reported that a large, long-dead tree along this road was threatening to fall, and that he felt it was within the 25 foot right-of-way.

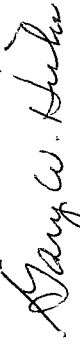
READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 11, 2016 Thirteenth day of the July term

Now at this the 11th day of August 2016 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 BENEFITS AND PART-TIME STATUS:

Regarding an employee of any County department who may go from full- to part-time, the Commission stated it would be the decision of the office holder whether or not to pay out accrued vacation or compensatory time. If the employee returned later as a more highly-paid full time employee, retained accrual would potentially be paid at the higher salary rate.

IN THE MATTER OF ROAD 8220:

Further, there was concern on the part of a resident that the intersection of Road 8120 and 8150 was partially obscured and needed attention. This will be relayed to the Department of Roads; it may be in the Mo DOT right-of-way, however.

IN THE MATTER OF ROAD 5090:

Local resident Lou Moss communicated his gratitude for the work on road 5090.

IN THE MATTER OF SENIOR COMPANIONS GRANT:

Senior Companions Director Jan Boatright outlined her plans to apportion the additional \$7,699 in grant funds. The additional funding came as a result of a change in the method of reimbursement. On a motion by Commissioner Hicks, seconded by Commissioner Stratman, this amendment to her budget was approved.

IN THE MATTER OF ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 398 invoices, all for election judge stipends, mileage, and other August Primary election expenses, in the amount of \$15,564.74.

IN THE MATTER OF PWSD #4:

Curt Voss and Dennis Culler from the PWSD #4 Board came to speak about a Sunshine Law request they had received for legal proceedings undertaken at the time the district was formed. Culler reported that several disgruntled residents had

PHELPS COUNTY COMMISSION RECORD

August 11 2016 Thirteenth day of the July term

PWSD #4, Continued:

come to a recent meeting to complain. He asked about late fees being attached to property tax bills.

IN THE MATTER OF
HEALTH DEPARTMENT DIRECTOR:

Phelps/Maries Health Department Director Jodi Waltman came to update the Commission on the applications she had received for her position; she retires at the end of 2016. She said only one applicant, 24 or 25 years old, had applied; they live in Waynesville. The Commission and Waltman discussed advertising in the St. Robert Daily guide. Waltman stated that with decreasing federal grant revenue, funding the operation of the Health Department will be problematic without a property tax. Commissioner Hicks asked about increasing charges for fees such as food service permits. Subsequently there was some discussion of the functions required of the Health Department, and whether any of these—such as immunizations—could be assumed by the Federally Qualified Health Center currently operating from rented quarters within the Phelps/Maries Health Department space. Presiding Commissioner Verkamp expressed the need for an enumeration of mission essentials for the Health Department; Stratman said the statutes should be reviewed.

IN THE MATTER OF
HEALTH DEPARTMENT CONTRACT:

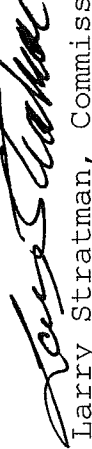
Upon review, Commissioner Hicks moved, Commissioner Stratman seconded, the approval of the WIC contract for local agency nutrition services.


IN THE MATTER OF
TOUGH ON TRASH GRANT:

The Tough on Trash Coordinator position is still unfilled. There was a discussion of the components of the position, specifically public education versus actual cleaning of roadsides and arranging for disposal of the waste.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 16, 2016 Fourteenth day of the July term

Now at this the 16th day of August 2016 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
ROLLA WEST DEVELOPMENT:

The Redevelopment documents between Phelps County, city of Rolla, UTW Rolla Development, LLC and UTW Rolla Project, Inc. were discussed: an Order Designating the Redevelopment Area and Approving the Westside Marketplace TIF Redevelopment Plan; an Order Redevelopment Project Area 1 (RPA1); an Order Approving a Redevelopment Agreement in connection with the Westside Marketplace. Commissioner Stratman discussed the requirement for a Certificate of Substantial Completion agreement, as well as the negotiations which had been held over the amount and positioning of the green space. He said that Mark Grimm of Gilmore & Bell as well as Alan Bornstein of UTW Realty would attend the Commission meeting on August 30, 2016 to review the entire process of finalizing the plans for the county's participation. Local resident Mike Monaldi attended the meeting and asked the Commission if they should ask someone from the city to 1) attend this meeting and 2) share the workload for the undertaking.

IN THE MATTER OF
PWSD #1 REQUEST FOR FUNDS:

The Commission received Requests for Funds for the PWSD #1 in Edgar Springs. RFF #9, 2010-PF-63, for \$2,500.00 for the purpose of Administration of the CDBG by Meramec Regional Planning Commission, and RFF #3, 2009-PF-49, for \$48,060.35 for Water Distribution by Robertson, Inc. were signed by Commissioners Stratman and Hicks.

IN THE MATTER OF
7050 BRIDGE DEDICATION:

Presiding Commissioner Verkamp reported that the dedication of the 7050 Bridge would take place August 18, 2016 at 11:00 a.m.

IN THE MATTER OF
UTILITY WORK:

A request was received for Commission Approval for work consisting of the placement of remote electronic pedestals at a minimum of 35 sites in Phelps County, by CenturyLink, for the purpose of bringing high speed internet to the areas served. Communication had been received from the Kenton Group, representing the contractor, who was Specialized Communications Services (SCS). This appeared to be a federally funded initiative, Connect America, and the company would need to access the nearest power supply pole for electric; Intercounty Electric had provided much of the map information to the

PHELPS COUNTY COMMISSION RECORD

August 16, 2016 Fourteenth day of the July term

UTILITY WORK, Continued:

contractor. Presiding Commissioner Verkamp called the company for more information.

IN THE MATTER OF
DEPENDENT INSURANCE COVERAGE:

The County's third party administrator for the employee and dependent medical insurance coverage, Group Benefit Services of Springfield, asked for slight amendment with the elimination of the definition of full-time student on the dependent life policy. On a motion by Commissioner Stratman, seconded by Commissioner Hicks, this was approved.

IN THE MATTER OF
ACCOUNTS PAYABLE:

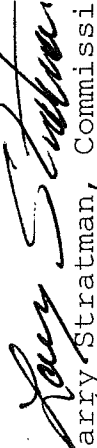
The Commission reviewed and approved payment of 114 invoices totaling \$183,539.11.

IN THE MATTER OF
WORKER'S COMPENSATION:

Deputy Clerk Tessa Piatt joined the meeting for a discussion of Worker's Compensation procedures. If employees are absent for a work-related injury or illness for three or fewer days, the employees use their sick leave. After the third day off work, the employee will be paid 66.67% of their gross salary as untaxed pay, without tax withholding as required by law, which is paid by the Worker's Compensation carrier directly to the employee. The county may require use of accrued sick and/or vacation time for the employee to pay for any required benefits such as employee share of medical premiums, etc.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 18, 2016 Fifteenth day of the July term

Now at this the 18th day of August 2016 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 FLOODPLAIN ADMINISTRATION:

Regarding the Letter of Map Revision based on Fill (LOMR-F) for the Moose Lodge property, Lyle Thomas of Meramec Regional Planning Commission reported to the Commission that re-inspection of the property and its construction methods showed that the building was set on a stem wall all the way around, rather than a slab placed on grade. If a LOMR-F were required, the application to remove the property from the flood plain and subsequently cancel the flood insurance would have required a review by FEMA and an engineer. Since the building is on a stem wall, the proper sequence to remove the property from the flood insurance requirement is to obtain a Letter of Map Revision (LOMA), which does not require Commission approval.

IN THE MATTER OF NORTHWYE UTILITY RELOCATION:

The invoice from Intercounty for moving of their lines for the Northwye Outer Road was received. The total was \$3,509.56. This cannot be reimbursed from the grant monies (CDBG) because wage and hour rates were not compliant, and because the Uniform Utility Relocation Act's requirement of landowner notification was not met.

IN THE MATTER OF SOLID WASTE MANAGEMENT GRANT:

Commissioner Stratman moved, Commissioner Hicks seconded, to execute documents when available such that the Commission would take responsibility for the community outreach component.

IN THE MATTER OF SENIOR COMPANIONS GRANT:

Senior Companions Director Jan Boatright came to discuss closing out her old grant and requested Commissioner signatures on her Federal Financial Reports. As moved by Commissioner Hicks, seconded by Commissioner Stratman, this was executed. She also needed two letters stating that she retained neither equipment nor supplies of fair market value more than \$5,000.00. On a motion by Commissioner Hicks, seconded by Commissioner Stratman, these were approved.

IN THE MATTER OF ROLLA WESTSIDE MARKETPLACE:

Commissioner Stratman requested that the agenda for the August 30, 2016 meeting be posted today by the clerk.

PHELPS COUNTY COMMISSION RECORD

August 18, 2016 Fifteenth day of the July term

IN THE MATTER OF COLLECTOR
CONTRACT WITH THE CITY OF DOOLITTLE:

Collector Davis Haas presented a contract for the collection of city property taxes for Doolittle. Currently, he has contracts with the city of Rolla (ca. 2004-2005), city of St. James (ca. 2005-2006), and Newburg (ca. 2014) to provide this service. On a motion by Commissioner Hicks, seconded by Commissioner Stratman, this was approved.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved the payment of 33 invoices for a total of \$20,108.44.

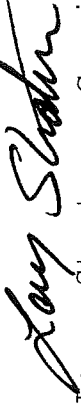
IN THE MATTER OF EMERGENCY
MANAGEMENT PERFORMANCE GRANT:

In response to a question from Emergency Management Director Sandy Potere, the Commission said that the County was still in need of the grant revenue, and she should apply.

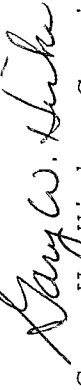
READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 23, 2016 Sixteenth day of the July term

Now at this the 23rd day of August 2016 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 PERSONAL
PROPERTY COURT ORDERS:

Court Orders numbered 1854, 1855, and 1856, encompassing July 2016 add-ons for 2013, 2014, and 2015 respectively and for increases of assessed value of \$3,460, \$28,200, and \$255,350, respectively, were approved.

IN THE MATTER OF COLLECTOR'S
DELINQUENT TAX SALE:

The clerk reported that on August 22, 2016 Collector Davis Haas had sold 13 of 15 properties for tax delinquencies of three years or more. The taxes and fees due were \$22,841.03, and total cumulative sale price was \$47,771.72, and the tax sale surplus was thus \$24,930.69. Properties unsold will be offered again next year.

IN THE MATTER OF
SALE AND USE TAX EXEMPTION:

Local vendor for the county, Hutcheson Ford, requested the required five-year renewal of the sales and use tax exemption form from Missouri Department of Revenue. On a motion by Commissioner Hicks, seconded by Commissioner Stratman, this was approved.

IN THE MATTER OF
CART FUNDS:

Treasurer Carol Green reported CART funds received of \$57,080.83, \$17,000.30, and \$6,564.64, for gas tax, motor vehicle sales taxes, and motor vehicle fees, respectively.

IN THE MATTER OF
MAC REPORT:

Treasurer Carol Green also gave a report of updates and information from the recent Missouri Association of Counties conference.

IN THE MATTER OF
PWSD #4:

Curt Voss came to report that the Board for PWSD #4 was following RSMo 247.010 through 247.228. He requested that the Commission notify the Health Department that no sewer system permits should be granted for houses within the sewer district, as by statute, the houses must be hooked up to the district.

PHELPS COUNTY COMMISSION RECORD

August 23, 2016 Sixteenth day of the July term

IN THE MATTER OF
HEALTH DEPARTMENT DIRECTOR:

Phelps/Maries Health Department Director Jodi Waltman came to discuss scheduling interviews for her replacement hire. She requested the Commission contact Maries County officials to afford them the opportunity to participate.

IN THE MATTER OF
TOUGH ON TRASH:

The Commission reviewed and approved the payment of the invoice for the AT&T cell phone for the Tough on Trash program, on a motion by Commissioner Hicks, seconded by Commissioner Stratman. The phone is still in use by the Department of Roads for the needs of the program.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved the payment of 27 invoices for a total of \$11,728.60.


READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

PHELPS COUNTY COMMISSION RECORD

August 25, 2016 Seventeenth day of the July term

Now at this the 25th day of August 2016 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
FLOOD DISASTER DR-4238:

Commissioner Hicks arrived a few minutes late. On a motion by Commissioner Stratman, seconded by Presiding Commissioner Verkamp, the State of Missouri Subgrantee Applicant Close-out Certification Form for Disaster Declaration DR-4238, the 2013 flood, was approved.

IN THE MATTER OF
PROSECUTING ATTORNEY GRANT:

Prosecuting Attorney Brendon Fox came to discuss Victim of Crime Act (VOCA) and Violence against Women Act (VAWA) grants, which have been heavily funded by the federal government recently. Missouri Association of Prosecuting Attorneys applied for a large grant. Phelps County will share equally a \$32,000 annual grant with Texas County for a victim's advocate who will receive a salary of \$36,000.00. An individual from Texas County, who has worked with misdemeanor probation, has been hired. It is anticipated that whatever is not reimbursed to Phelps County by the state will be paid equally by Phelps and Texas counties.

IN THE MATTER OF
A SALES PRESENTATION:

Marty Fitz, with SpyGlass, presented his firm's service of review of local and long distance telephone, cellphone, and internet statements for accuracy. His company will only be paid out of savings that are found, and only after the contracting entity receives a reimbursement from the vendor.

IN THE MATTER OF
COLLEGE HILLS SEWER DISTRICT:

Steve Hargis, P.E., of the Rolla Public Works Department spoke with the Commission about the three tri-party agreements for sewer services between Rolla, Phelps County, and a district. Two of these are Cedar Grove and Shady Oaks. College Hills is the third; according to Hargis, there is a history of difficulty of various types in this district, ranging from collapse of lines to the construction of homes over the sewer lines. The city is concerned in the integrity of the system, if for no other reason than the fact that the tract is within the Rolla watershed; failing sewer lines could drain contaminants to Rolla. The sewer district and the city are discussing having the city take over the management and construction for the district and the city billing for services. The district has some financial reserves which might be called upon to fund the improvements; Hargis said that there was also the possibility that a developer would contribute financial support. Also

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COLLEGE HILLS SEWER DISTRICT, Continued:

discussed were total costs, cost per household, methods of payment, and financing strategies. A vote of the board would be required. Hargis wanted to schedule a public hearing for the proposal in the Courthouse multipurpose room. This will take place on Monday, September 12, at 4:30 p.m.

IN THE MATTER OF
ACCOUNTS PAYABLE:

The Commission reviewed and approved the payment of 32 invoices in the total amount of \$31,523.08.

IN THE MATTER OF
PAYROLL:

The Commission reviewed and approved the payroll for 8/31/2016 with net payroll of \$161,939.82, federal taxes of \$58,650.87, and state taxes of \$7,632.50.

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

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Now at this the 30th day of August 2016 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

Deputy Clerk Tessa Piatt took notes in the absence of the clerk.

IN THE MATTER OF
ROAD 5130:

Patrick Keebey came to the meeting to report that this road, roughly semicircular, used to be joined on both ends to old Highway 72. MoDOT closed the northern intersection when the new highway was constructed. This dead end has become a turnaround for road equipment, of necessity, and a neighbor of his has put older vehicles and refuse near this end of the road, since there is no outlet there. Mr. Keebey would like to see the road put through to Highway 72; he is a small businessman and it would be important to him. There was discussion regarding abandonment of the road, which Mr. Keebey is opposed to. Keebey will be in contact with his neighbor.

IN THE MATTER OF
WESTSIDE MARKETPLACE TIF:

Alan Bornstein of UTW Realty LLC, St. Louis; Mark Grimm of Gilmore & Bell PC, St. Louis; and John Butz, Administrator for the City of Rolla attended the Commission meeting. After discussion, the Commission approved unanimously the following order on a motion by Commissioner Stratman, seconded by Commissioner Hicks:

ORDER NO. 8-30-2016-1

AN ORDER DESIGNATING A PORTION OF PHELPS COUNTY, MISSOURI, AS A REDEVELOPMENT AREA; APPROVING THE WESTSIDE MARKETPLACE TAX INCREMENT FINANCING REDEVELOPMENT PLAN; MAKING FINDINGS RELATED THERETO; AND AUTHORIZING CERTAIN ACTIONS BY COUNTY OFFICIALS.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to approve redevelopment projects pursuant to the Act; and

WHEREAS, Phelps County, Missouri (the "County") duly created the Tax Increment Financing Commission of Phelps County, Missouri (the "TIF Commission") pursuant to the Act; and

WHEREAS, the Act authorizes the TIF Commission to hold hearings with respect to proposed redevelopment areas, plans and projects and to make recommendations thereon to the County Commission; and

WHEREAS, the TIF Commission has reviewed a plan for redevelopment known as the "Westside Marketplace Tax Increment Financing Redevelopment Plan," attached as Exhibit A hereto and incorporated herein by this reference (the "Redevelopment Plan"), for the redevelopment of approximately 154 acres of land located north of Interstate 44 near the Kingshighway interchange (as further described in the Redevelopment Plan, the "Redevelopment Area"); and

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WESTSIDE MARKETPLACE TIF, Continued:

WHEREAS, the Redevelopment Plan envisions that the Redevelopment Area will be redeveloped for retail, restaurant and other service commercial uses (as further described in the Redevelopment Plan, the "Redevelopment Projects") with three separate redevelopment project areas (referred to in the Redevelopment Plan as "RPA 1," "RPA 2" and "RPA 3"); and

WHEREAS, UTW Rolla Development, LLC (the "Developer") submitted a proposal for the redevelopment of the Redevelopment Area; and

WHEREAS, after all proper notice was given, the TIF Commission opened a public hearing in conformance with the Act on January 27, 2016 and continued such hearing on February 24, 2016, March 23, 2016, May 4, 2016 and May 18, 2016, at which all interested parties had the opportunity to be heard and at which the TIF Commission heard and considered all protests, objections, comments and other evidence presented at the hearing concerning the Redevelopment Plan, the designation of the Redevelopment Area and the approval of the redevelopment project for RPA 1 (the "RPA 1 Redevelopment Project"); and

WHEREAS, on May 18, 2016, after due deliberation, the TIF Commission passed a resolution (attached as Exhibit B hereto) recommending that the County Commission (1) approve the Redevelopment Plan, (2) designate the Redevelopment Area as a "redevelopment area," as defined in the Act, (3) approve the RPA 1 Redevelopment Project and (4) adopt tax increment financing with RPA 1;

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

Section 1. The County Commission hereby makes the following findings:

A. The Redevelopment Area on the whole is a "blighted area," as defined in Section 99.805(1) of the Act, and has not been subject to growth and development through investment by private enterprise and would not reasonably be anticipated to be developed without the adoption of tax increment financing. This finding includes, and the Redevelopment Plan sets forth and the County Commission hereby finds and adopts by reference: (i) a detailed description of the factors that qualify the Redevelopment Area as a "blighted area" and qualify the Redevelopment Project pursuant to the provisions of Section 99.810.1(1) of the Act and (ii) an affidavit, signed on behalf of the Developer, attesting that the provisions of Section 99.810.1(1) have been met.

B. The Redevelopment Plan conforms to the comprehensive plan for the development of the municipality as a whole.

C. The estimated dates of completion of the RPA 1 Redevelopment Project and the retirement of obligations incurred to finance redevelopment project costs have been stated in the Redevelopment Plan and these dates are no more than 23 years from the date of adoption of the order approving the RPA 1 Redevelopment Project.

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WESTSIDE MARKETPLACE TIF, Continued:

D. The County has developed a plan for relocation assistance for businesses and residences in conformity with the requirements of Sections 523.200 through 523.205 of the Revised Statutes of Missouri, as amended.

E. A cost-benefit analysis showing the economic impact of the Redevelopment Plan on each taxing district which is at least partially within the boundaries of the Redevelopment Area is attached as Exhibit C hereto and is incorporated herein as if fully set forth herein, which cost-benefit analysis shows the impact on the economy if the RPA 1 Redevelopment Project is not built and is built pursuant to the Redevelopment Plan. The cost-benefit analysis also includes a fiscal impact study on every affected political subdivision, and sufficient information from the Developer for the TIF Commission to evaluate whether the RPA 1 Redevelopment Project as proposed is financially feasible.

F. The Redevelopment Plan does not include the initial development or redevelopment of any gambling establishment.

Section 2. The Redevelopment Area is hereby designated as a "redevelopment area" as defined in Section 99.805(12) of the Act.

Section 3. The Redevelopment Plan, a copy of which is attached hereto as Exhibit A and incorporated herein by reference, is hereby adopted and approved.

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

Section 5. This Order shall take effect and be in full force from and after its passage by the County Commission.

ORDERED by the County Commission of Phelps County, Missouri, this 30th day of August, 2016.

Randy Verkamp, Presiding Commissioner

Larry Stratman, Commissioner District 1

Gary W. Hicks, Commissioner District 2

s/s Pamela K. Grow, Phelps County Clerk

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On a motion by Commissioner Stratman, seconded by Commissioner Hicks, the following order was unanimously approved on roll call vote:

WESTSIDE MARKETPLACE TIF, Continued:

ORDER NO. 8-30-2016-2

AN ORDER APPROVING A REDEVELOPMENT PROJECT FOR REDEVELOPMENT PROJECT AREA 1 OF THE WESTSIDE MARKETPLACE REDEVELOPMENT AREA; ADOPTING TAX INCREMENT FINANCING WITH RESPECT THERETO; AND AUTHORIZING CERTAIN ACTIONS BY COUNTY OFFICIALS.

WHEREAS, the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended (the "Act"), authorizes municipalities to approve redevelopment projects pursuant to the Act; and

WHEREAS, the County duly created the Tax Increment Financing Commission of Phelps County, Missouri (the "TIF Commission") pursuant to the Act; and

WHEREAS, following a duly-noticed public hearing held by the TIF Commission and recommendation from the TIF Commission, the County Commission adopted Order No. 8-30-2016-1 on August 30, 2016, which approved The Westside Marketplace Redevelopment Plan (the "Redevelopment Plan") and designated the redevelopment area described therein (the "Redevelopment Area") as a redevelopment area pursuant to the Act; and

WHEREAS, the Redevelopment Plan divides the Redevelopment Area into three redevelopment project areas (each, an "RPA") and describes a redevelopment project for each RPA; and

WHEREAS, the redevelopment of "RPA 1" is expected to include the development of approximately 330,000 square feet of retail buildings (as further described in the Redevelopment Plan, the "RPA 1 Redevelopment Project"); and

WHEREAS, the TIF Commission has recommended approval of the RPA 1 Redevelopment Project and the adoption of tax increment financing with respect thereto;

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

Section 1. The RPA 1 Redevelopment Project is hereby adopted and approved. The County Commission finds that the area selected for the RPA 1 Redevelopment Project includes only those parcels of real property and improvements thereon directly and substantially benefited by the proposed RPA 1 Redevelopment Project.

Section 2. Tax increment allocation financing is hereby adopted within RPA 1 (as legally described in the Redevelopment Plan).

Section 3. After the total equalized assessed valuation of the taxable real property in RPA 1 exceeds the certified total

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initial equalized assessed value of all taxable real property in RPA 1, as determined in accordance with the Act, the ad valorem taxes and payments in lieu of taxes, if any, arising from the levies upon taxable real property in RPA 1 by taxing districts and

WESTSIDE MARKETPLACE TIF, Continued:

tax rates determined in the manner provided in Section 99.855.2 of the Act each year after the effective date of this Order until the payment in full of all redevelopment project costs associated with the RPA 1 Redevelopment Project shall be divided as follows:

(1) That portion of taxes, penalties and interest levied upon each taxable lot, block, tract, or parcel of real property which is attributable to the initial equalized assessed value of each such taxable lot, block, tract or parcel of real property in RPA 1 shall be allocated to and, when collected, shall be paid by the County Collector to the respective affected taxing districts in the manner required by law in the absence of the adoption of tax increment allocation financing; and

(2) Payments in lieu of taxes attributable to the increase in the current equalized assessed valuation of each taxable lot, block, tract, or parcel of real property in RPA 1 and any applicable penalty and interest over and above the initial equalized assessed value of each such unit of property in RPA 1 shall be allocated to and, when collected, shall be paid to the County Treasurer, who shall deposit such payments in lieu of taxes into a special fund called the "Westside Marketplace - RPA 1 Special Allocation Fund" of the County for the purpose of paying redevelopment costs and obligations incurred in the payment thereof. Payments in lieu of taxes which are due and owing shall constitute a lien against the real estate of RPA 1 from which they are derived and shall be collected in the same manner as the real property tax, including the assessment of penalties and interest where applicable.

Section 4. In addition, fifty percent (50%) of the total additional revenue from taxes, penalties and interest which are imposed by the County or other taxing districts, and which are generated by economic activities within RPA 1, over the amount of such taxes in the calendar year prior to the adoption of this Order, while tax increment financing remains in effect, but excluding personal property taxes, taxes imposed on sales or charges for sleeping rooms paid by transient guests of hotels and motels, taxes levied pursuant to Section 70.500 of the Revised Statutes of Missouri, as amended, licenses, fees or special assessments other than payments in lieu of taxes and any penalty and interest thereon, taxes levied pursuant to Section 94.660 of the Revised Statutes of Missouri, as amended, for the purpose of public transportation, and any other tax or fee excluded from tax increment financing by Missouri law shall be allocated to and paid by the collecting officer to the County Treasurer, who shall deposit such funds into a separate segregated account within the Westside Marketplace -RPA 1 Special Allocation Fund.

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Section 5. The Westside Marketplace - RPA 1 Special Allocation Fund is hereby established. The Westside Marketplace - RPA 1 Special Allocation Fund shall have such accounts and subaccounts as may be necessary or desirable for the administration of the Redevelopment Plan and the RPA 1 Redevelopment Project. All moneys deposited in the Westside Marketplace - RPA 1 Special Allocation Fund shall be applied in such manner consistent with the Redevelopment Plan as determined by the County Commission.

WESTSIDE MARKETPLACE TIF, Continued:

Section 6. The Clerk of the County Commission is hereby directed to submit a certified copy of this Order to the County Assessor, who is directed to determine the total equalized assessed value of all taxable real property within RPA 1 as of the date of this Order, by adding together the most recently ascertained equalized assessed value of each taxable lot, block, tract or parcel of real property within RPA 1, and shall certify such amount as the total initial equalized assessed value of the taxable real property within RPA 1. The Clerk of the County Commission is further directed to submit a certified copy of this Order to the County Treasurer, and the County Treasurer is directed to certify the amount of taxes derived from economic activities within RPA 1 in the calendar year prior to the adoption of this Order.

Section 7. The sections of this Order shall be severable. If any section of this Order is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (a) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the County Commission has or would have enacted the valid sections without the void ones; and (b) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 8. This Order shall be in full force and effect from and after its adoption.

ORDERED by the County Commission of Phelps County, Missouri, this 30th day of August, 2016.

Randy Verkamp, Presiding Commissioner

Larry Stratman, Commissioner District

Gary W. Hicks, Commissioner District

s/s Pamela K. Grow, Phelps County Clerk

On a motion by Commissioner Stratman, seconded by Commissioner Hicks, the following Order was approved by unanimous roll call vote:

ORDER NO. 8-30-2016-3

AN ORDER APPROVING A REDEVELOPMENT AGREEMENT IN CONNECTION WITH THE WESTSIDE MARKETPLACE REDEVELOPMENT

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PLAN.

WHEREAS, the County has approved The Westside Marketplace Redevelopment Plan (the "Plan") and a redevelopment project (the "RPA 1 Redevelopment Project") for the portion of the redevelopment area described in the Plan as "RPA 1," all pursuant to the Real Property Tax Increment Allocation Redevelopment Act, Sections 99.800 to 99.865 of the Revised Statutes of Missouri, as amended; and

WESTSIDE MARKETPLACE TIF, Continued:

WHEREAS, the County desires to enter into a redevelopment agreement among the County, the City of Rolla, Missouri, UTW Rolla Development, LLC (the "Developer") and UTW Rolla Project, Inc. with regard to the development of the RPA 1 Redevelopment Project (the "Redevelopment Agreement");

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

Section 1. The County Commission finds and determines that it is necessary and desirable to enter into the Redevelopment Agreement in connection with implementing the RPA 1 Redevelopment Project. The Presiding Commissioner is hereby authorized and directed to execute, on behalf of the County, the Redevelopment Agreement. The Clerk of the County Commission is hereby authorized and directed to attest to the Redevelopment Agreement and to affix the seal of the County thereto. The Redevelopment Agreement shall be in substantially the form attached hereto as Exhibit A, which Redevelopment Agreement is hereby approved by the County Commission, with such changes therein as shall be approved by the officer of the County executing the same, such approval to be conclusively evidenced by such officer's execution of the Redevelopment Agreement.

Section 2. The officers of the County are hereby authorized and directed to execute all documents and take such actions as they may deem necessary or advisable to carry out and perform the purposes of this Order and to make ministerial alterations, changes or additions to the documents herein approved, authorized and confirmed which they may approve, and the execution of such action shall be conclusive evidence of such necessity or advisability.

Section 3. This Order shall be in full force and effect from and after its adoption.

ORDERED by the County Commission of Phelps County, Missouri, this 30th day of August, 2016.

Randy Verkamp, Presiding Commissioner

Larry Stratman, Commissioner District 1

Gary W. Hicks, Commissioner District 2

s/s Pamela K. Grow, Phelps County Clerk

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IN THE MATTER OF
PCRMC:

Tina Pridgeon and Tiffany Henry from the PCRMC came to speak about a march for breast cancer awareness scheduled for October 15, 2016. Proceeds will go for mammograms and ultrasounds for detection. The Commissioners were asked to be the Grand Marshalls, and to start the event at 9:00 a.m. with a speech, which the Commission accepted.

IN THE MATTER OF HAZARDOUS
MATERIALS EMERGENCY PLAN:

The HMEP was approved and signed on a motion by Commissioner Hicks, seconded by Commissioner Stratman.

IN THE MATTER OF
THE HEALTH DEPARTMENT:

A Health Department agreement for Environmental Child Care Sanitation Inspections, Contract # ERS 220-17081, was reviewed and signed, on a motion by Commissioner Stratman, seconded by Commissioner Hicks.

IN THE MATTER OF
MISSOURI CAREER CENTER:

Patricia Rogers of the Missouri Career Center visited with the Commission about their need for more workers.

IN THE MATTER OF
ACCOUNTS PAYABLE:

Shell Howard, Accounts Payable Deputy Clerk, notified the Commission that Treasurer Carol Green felt that bank-to-bank transfers were not a mechanism of payment that she felt the County should use. This practice will stop.

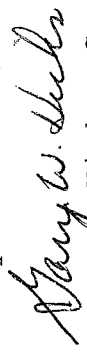
IN THE MATTER OF
COURTHOUSE SECURITY:

Commissioner Hicks spoke about the need for a reappraisal of the manner in which courthouse security is being provided.

READ AND APPROVED:


Randy Verkamp, Presiding Commissioner


Larry Stratman, Commissioner District 1


Gary W. Hicks, Commissioner District 2