

# PHELPS COUNTY COMMISSION RECORD

August 1, 2019 Tenth day of the July term

Now at this the 1st day of August 2019 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  
LP BIDS OPENING:

Local resident Clarence Bates and Phelps County Focus Staff Writer Andrew Sheeley were also present. Bids on LP gas were opened as scheduled at 9:00 a.m. The bids were as follows:

VENDOR	PRICE/GALLON
MFA Oil, Rolla	\$1.09
Poe's Gas, Rolla	\$0.969
Ferrellgas, St. Peters	\$1.089

As moved by Commissioner Hicks, seconded by Commissioner Stratman, the bid was awarded to Poe's Gas.

IN THE MATTER OF  
CITIZEN INPUT:

Local resident Clarence Bates came to ask how the county would take over a road. He has a map from a survey of a road just past Taylor Woods, Private Drive 7136. He provided some history on the road; the process of incorporating a road into the county road inventory was discussed in some detail.

IN THE MATTER OF  
CORNER REMONUMENTATION:

Phelps County Surveyor Terris Cates, PLS, attended to discuss the renewal of the Missouri Department of Agriculture Corner Remonumentation Program. He provided a map with corners which had been marked by him in 2018 and 2019, along with existing corners having state plane coordinates. He had 16 corners marked to remonument for 2020, though said that changes could be made if the surveyor saw a need for a different corner or corners to be addressed; this occasionally became necessary during land disputes. Since five of these were very near one another in the southeastern part of the county, Commissioner Hicks asked whether this was a prudent idea. Cates replied that many county surveyors monument locations that are part of their current surveys. Commissioner Hicks asked if non-county surveyors can ask to be included in the remonumentation program and can apply for funds. Cates said that funding was only made available for private surveyors if there was a surplus after the county surveyors had been compensated for the corners they had applied for. Cates also said that if the county did not obligate full funding for the 16 corners he proposed, the excess would go back into the state Department of Agriculture and would

# PHELPS COUNTY COMMISSION RECORD

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CORNER REMONUMENTATION, Continued

be disbursed statewide. On a motion by Commissioner Stratman, seconded by Commissioner Hicks, the letter to Ron Heimbaugh, PLS, State Land Surveyor requesting inclusion of Phelps County in the program was approved. Cates then departed.

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

Anne Pierce, P.E. and Jeff Banderet, P.E. came to present information about this bridge which has an intersecting road, Road 7000, on the eastern approach. The angle of the intersection and the topography and bridge incline to the west complicate this project; there are definite concerns with sight lines. Three options were presented. Option 1 involved a change of the culvert and 2, 12' lanes on the bridge. This would mean three bridge spans. Option 2 meant leaving the Road 7000 culvert alone, having 2, 12' lanes on the bridge. Option 3, felt to provide the greatest traffic safety, involved moving road 7000 enough to re-align it for a better turning radius and better sight lines, again, 2, 12' lanes. Right of way acquisition would be necessary according to Commissioner Hicks. All three schematics involved a 90-foot bridge length. Cost estimates were about \$500,000; \$420,000; and \$540,000, respectively. The height and design of the siderails were discussed, as they had bearing on sight. With 1 foot shoulders, three girders would be needed; Banderet said MoDOT always preferred 4-girder bridges to permit one lane to stay open while any bridge was being re-decked. Drainage easements, DNR, Department of Conservation and Army Corps of Engineers input were discussed. Banderet does not anticipate any State Historic Preservation concerns. The Commission felt that a four-girder bridge, costing perhaps an extra \$50,000 and an extra \$10,000 for right-of-way acquisition was most preferable.

IN THE MATTER OF  
FLAP PROGRAM:

Banderet then proceeded to speak about FLAP (Federal Land Access Program) funding and applications being due December 2019. These are 80/20 grants and work by local forces (WBLF) can meet the 20%. Banderet said he identified four Phelps County bridges that might be good candidates due to functional or structural deficiencies: Road 6590 (Spring Creek); Road 7410 (Spring Creek); Road 7490 (Corn Creek); Road 7460 (Little Piney Creek).

IN THE MATTER OF  
JUVENILE COURT GRANT:

25<sup>th</sup> Judicial Circuit Division 2 Associate Judge Mark Calvert entered to follow up on the discussion of the independent tax-exempt foundation underwriting drug abstinence monitoring and mentoring in parents seen in family court. The contract agreement was approved as moved by Commissioner Hicks, seconded by Commissioner Stratman.

IN THE MATTER OF  
ONSITE WASTEWATER TREATMENT  
BOARD OF REVIEW:

# PHELPS COUNTY COMMISSION RECORD

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ONSITE WASTEWATER BOARD, Continued:

Vacancies on this board were discussed.

IN THE MATTER OF  
FINANCIAL PEACE UNIVERSITY:

The clerk asked about financial wellness among employees and the possible role a class in personal finance might play.


IN THE MATTER OF  
USE TAX:

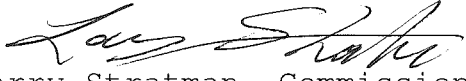
The Commission again discussed submitting the county use tax at the November 5, 2019 election. Presiding Commissioner Verkamp had spoken with his counterpart in another county; the revenue obtained was thought to have been welcome. This official had little personal knowledge about how or when the use tax was passed. Commissioner Stratman reported that the Rolla city administrator felt, though legal review might be required, that the Phelps County Emergency Services Board use tax mirroring the 0.25% sales tax, might not require PCESB approval to be placed on the ballot. This board was created by the Commission. The clerk said that by statute, the PCESB had to vote annually by September 1 to affirm their sales tax rate which could not, without voter approval, be set above the 0.25% originally passed in April 2010. The PCESB, through sales tax revenue, had raised far more than the 2009 budgeted expenditures for emergency dispatch; a significant surplus remained and the PCESB, on its own, might not seek to pass a use tax.


IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 36 and 20 invoices in the amounts of \$99,589.13 and \$119,979.11.

READ AND APPROVED:

  
Randy Verkamp, Presiding Commissioner

  
Larry Stratman, Commissioner District 1

  
Gary W. Hicks, Commissioner District 2

# PHELPS COUNTY COMMISSION RECORD

August 6, 2019 Eleventh day of the July term

Now at this the 6th day of August 2019 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 USE TAX:

The use tax was discussed again. The city of Rolla held first reading on August 5. Local resident Ray Schweikhardt provided his thoughts. Plans for the additional revenues were discussed; Commissioner Stratman said that several financially stressed departments such as the Health Department and the Public Administrator were considerations; Schweikhardt said, "There's always roads to work on." Commissioner Stratman wondered how the additional revenue might fix a bridge design predicament such as the one on Road 7100, discussed August 1. Commissioner Stratman still believes that the main issue is fairness; local retailers must collect the sales tax while out-of-state and online retailers often do not. Local resident Chester Kojro arrived and provided his input. The Individual Use Tax Return requirement in RSMo 144.757 was discussed. Schweikhardt and Kojro then left.

## IN THE MATTER OF HEALTH DEPARTMENT GRANT:

Phelps/Maries Health Department Director Ashley Wann presented her grant renewal for Public Health Emergency Preparedness (PHEP) which covers communicable disease, medical reserve corps, environmental investigations. This was approved.

## IN THE MATTER OF MOVEROLLA TDD:

Presiding Commissioner provided a report on the meeting from the previous day. Large sums of money are involved.

## IN THE MATTER OF QUARRY SUBDIVISION:

Developer Tom Sowers provided engineering reports on compaction, stormwater and culverts in his subdivision. He is awaiting a chip and seal bid and several asphalt bids. He suggested that the county was "...not in the city and I don't think we want to act like it." He believes there are too many places within the county road specifications where the services of a professional engineer are required. His opinion of chip and seal is that it is an anti-dust measure. While he admitted that some residents had filled in or flattened their ditches and lacked culverts, if that were discounted, his roads are in much better condition than many roads accepted by the county since then. He wonders if he will want to develop any more land because of what he is experiencing now. There followed an extensive discussion of road building and road acceptance.

# PHELPS COUNTY COMMISSION RECORD

August 6, 2019 Eleventh day of the July term

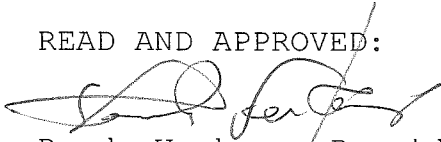
IN THE MATTER OF  
ROAD 7100 BRO-B081(13):

Progress Invoice #2 for the engineering on this bridge project was approved on a motion by Commissioner Hicks, seconded by Commissioner Stratman.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 17 invoices in the amount of \$8,607.97.

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

# PHELPS COUNTY COMMISSION RECORD

August 8, 2019 Twelfth day of the July term

Now at this the 8th day of August 2019 the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF  
USE TAX:

The use tax was again discussed. Phelps County Focus Staff Writer Andrew Sheeley was also present.

IN THE MATTER OF  
REGIONAL HOMELAND SECURITY  
OVERSIGHT COMMITTEE:

Commissioner Hicks provided a report of the recent meeting where radio communications were a particular emphasis.

IN THE MATTER OF  
MISSOURI OZARKS  
COMMUNITY ACTION (MOCA):

Commissioner Hicks provided perspective as a member of the Board of Directors and Finance Committees. Commissioner Hicks said over \$10 million is administered annually and 93% goes to program participants and only 7% to overhead. Eight counties are served. The Headstart budget is about \$4.5 million per year.

IN THE MATTER OF  
USE TAX, Continued:

Assistant Prosecuting Attorney Bill Hudson came seeking information on the use tax plans.

IN THE MATTER OF  
SALES PRESENTATION:

Stacie Coke, Business Development Specialist with Winter-Dent of Jefferson City came to discuss briefly what her firm can offer with respect to employee benefits and insurance. Commissioner Stratman provided some information about the county's benefit package.

IN THE MATTER OF  
ROAD DEPARTMENT CONTRACT:

Michelle Bock of the Road and Bridge Department came to discuss ongoing work and a credit application with the company selling and storing the county the winter ice melt salt. Commissioner Hicks moved and Commissioner Stratman seconded the approval of the contract.

Presiding Commissioner Verkamp then arrived to the meeting.

IN THE MATTER OF  
REAL ESTATE COURT ORDERS:

# PHELPS COUNTY COMMISSION RECORD

August 8, 2019 Twelfth day of the July term

REAL ESTATE COURT ORDERS, Continued:

Assessor's Real Estate Court Orders numbered PCCO-2019-0001 through -0008 were approved. The first six were occupancy changes; number seven was a natural disaster abatement; number 8 was a property that was sold to a non-exempt entity prior to January 1, 2019.


IN THE MATTER OF  
PAYROLL:

The Commission reviewed and approved payroll for August 15, 2019 representing work dates 7/16 - 7/31/2019, showing net salaries of \$181,333.24, federal and state withholdings of \$56,938.67 and \$7,138.50, respectively.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 32 and 47 invoices in the amounts of \$12,750.86 and \$22,243.78, respectively.

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

# PHELPS COUNTY COMMISSION RECORD

August 13, 2019 Thirteenth day of the July term

Now at this the 13th day of August 2019 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  
TAX LEVY HEARING NOTICES:

The following notices published on Thursday August 1, 2019 are entered into the record:

## NOTICE OF PUBLIC HEARING

A public hearing will be held at 9:00 a.m. Tuesday, August 13, 2019 in the Phelps County Commission Hearing Room in the Courthouse, 200 N. Main St., Suite 105, Rolla, Missouri, at which time citizens may be heard on the proposed 2019 tax rates to be set by Phelps County. The tax rate is determined by dividing the amount of revenue to be raised by the current assessed valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 assessed valuation.

ASSESSED VALUATION (By Category)	CURRENT TAX YEAR 2019	PRIOR TAX YEAR 2018
Real Estate	\$ 477,327,930	\$ 459,382,600
Personal Property	122,294,827	116,679,125
Railroad & Utility – State	22,648,401	21,166,509
Railroad & Utility – Local	587,860	454,940
Less Tax Increment Financing	-7,532,720	-1,282,900
<b>TOTAL</b>	<b>\$ 615,326,298</b>	<b>\$ 596,400,274</b>

FUND	AMOUNT OF PROPERTY TAX	TAX RATE CEILING	PROPOSED TAX FOR 2019
Phelps County Board For the Developmentally Disabled	\$ 430,847	\$0.0720	\$0.0720

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Michael Speak, Chairman; Phelps County  
Board for the Developmentally Disabled

PUBLISH: Rolla Daily News – Thursday, August 1, 2019

## NOTICE OF PUBLIC HEARING

A public hearing will be held at 9:15 a.m. Tuesday, August 13, 2019 in the Phelps County Commission Hearing Room in the Courthouse, 200 N. Main St., Suite 105, Rolla, Missouri, at which time citizens may be heard on the proposed 2019 tax rates to be set by Phelps County. The tax rate is determined by dividing the amount of revenue to be raised by the current assessed



**PHELPS COUNTY COMMISSION RECORD**  
**August 13, 2019 Thirteenth day of the July term**

TAX LEVY HEARING NOTICES, Continued:

valuation. The result is multiplied by 100 so the tax rate will be expressed in cents per \$100 assessed valuation.

ASSESSED VALUATION (By Category)	CURRENT TAX YEAR 2019	PRIOR TAX YEAR 2018
Real Estate	\$ 477,327,930	\$ 459,382,600
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<b>TOTAL</b>	<b>\$ 615,326,298</b>	<b>\$ 596,400,274</b>

FUND	AMOUNT OF PROPERTY TAX	TAX RATE CEILING	PROPOSED TAX FOR 2019
General Revenue	\$ 671,283	\$0.2797	\$0.1091
Road & Bridge	\$ 664,305	\$0.1998	\$0.1080

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Pamela K. Grow, Phelps County Clerk

PUBLISH: Rolla Daily News – Thursday, August 1, 2019

IN THE MATTER OF  
PUBLIC HEARING FOR THE ADOPTION  
OF 2019 TAX LEVIES FOR PHELPS COUNTY  
BOARD FOR THE DEVELOPMENTALLY DISABLED:

Local resident Edna Smith was present. Also present was Collector Faith Barnes and Phelps County Focus Staff Writer Andrew Sheeley. Presiding Commissioner Verkamp convened the hearing for the PCBDD as publicized at 9:00 a.m. There were no comments heard and the hearing was closed. As moved by Commissioner Hicks and seconded by Commissioner Stratman, the 2019 PCBDD Levy of \$0.0720 per \$100 valuation was accepted, having been approved already by the Board.

IN THE MATTER OF  
ICE MELT CONTRACT:

The Commission reviewed a contract for Ice Melt with Oakley Fertilizer of North Little Rock, Arkansas for 400 tons of road salt at \$83.00 per ton delivered. Local resident Chester Kojro was also present. Any tons remaining on the stockpile after April 1, 2020 will be charged a storage fee of \$3.00 per ton. As moved by Commissioner Hicks, seconded by Commissioner Stratman, this was approved.

IN THE MATTER OF  
PUBLIC HEARING FOR THE ADOPTION  
OF 2019 TAX LEVIES FOR PHELPS COUNTY  
GENERAL REVENUE AND ROAD & BRIDGE:

# PHELPS COUNTY COMMISSION RECORD

August 13, 2019 Thirteenth day of the July term

COUNTY REVENUE AND ROAD & BRIDGE LEVIES, Continued:

Presiding Commissioner Verkamp opened the public hearing as publicized at 9:15 a.m. The clerk supplied some information about the sales tax roll-back calculations, wherein by the terms under which the county's 0.5% sales tax was passed in April, 1981, 50% of the sales tax revenue was to be rolled back, or deducted, from the maximum allowable property tax revenue. These calculations are done separately on the General Revenue and Road and Bridge levies, keeping the sales taxes received by these two funds separate as well. By statute the total sales tax revenue for the year is to be twice the sales tax revenue for the first 6 months of the year. Since Phelps County rolls back 50%, it becomes a matter of subtracting the first 6 months of sales tax revenue for the current year. This subtracted amount is converted to a levy equivalent via division by assessed valuation. Statute also permits correction of under- or over-estimates for the prior year; sales tax is not linear and the first 6 months often underestimates the total sales tax revenue. A small correcting roll-back for the prior year's underestimate was also done to both levies. On a ceiling of 0.2797, General Revenue had a sales tax reduction such that the levy was reduced by 0.1706. This produced a General Revenue levy of \$0.1091 per \$100 assessed valuation. Similarly, Road & Bridge with its ceiling of 0.1998 had a sales tax reduction of 0.0918, yielding a Road & Bridge levy of \$0.1080 per \$100 assessed valuation. After more discussion, the levies were approved on a motion by Commissioner Hicks seconded by Commissioner Stratman.

IN THE MATTER OF  
ST. JAMES CARING  
CENTER CDBG:

Environmental review documents on the St. James Caring Center CDBG were reviewed and approved as moved by Commissioner Stratman and seconded by Commissioner Hicks. Collector Barnes and Sheeley left.

IN THE MATTER OF  
COUNTY CLERK TURNOVER:

The county clerk presented turnover of fees from her office for July, 2019 pursuant to RSMo 50.330. \$1,855 in passport acceptance facility fees—for 53 passports—and \$3,499 in county clerk fees of which \$3,340 was county liquor license fees was presented with treasurer's receipts.

IN THE MATTER OF  
CITIZEN INPUT:

Edna Smith came to discuss differences in the way road issues are handled in Maries County, where she owns property, and Phelps County.

IN THE MATTER OF  
SALES PRESENTATION:

Ron D. Housman, former Taney County Clerk and Presiding Commissioner, came to discuss Computer Information Concepts (CIC) for whom he is a governmental relation specialist.

# PHELPS COUNTY COMMISSION RECORD

August 13, 2019 Thirteenth day of the July term

IN THE MATTER OF  
EMERGENCY MANAGEMENT:

PCSD Cpl. Mike Kirn, Phelps County Emergency Management Director, came to provide updates for his role. He would like to be able to offer some hospitality through his grant when he teaches classes, and the Commission was agreeable to his arranging this with future grant applications. He had just finished a multi-day course in advanced leadership. He also provided some information about the labor market in law enforcement in the area. Edna Smith and Kirn then departed.

IN THE MATTER OF  
DEPOSITORY BID:

Treasurer Carol Green briefly visited to discuss content of depository bids.

IN THE MATTER OF  
VIOLENT AND OPIOID DEATHS:

Coroner Andy Davis came and recounted 2 overdose deaths in the past 2-3 days and 7 naloxone reversals of opioid overdoses in the past 3 days in the local emergency ward. He has also had three gunshot wound suicides in the past 5 days. A long discussion about these unfortunate circumstances ensued.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of \$21,713.59 for Senior Companions invoices and stipends.

READ AND APPROVED:

  
Randy Verkamp, Presiding Commissioner

  
Larry Stratman, Commissioner District 1

  
Gary W. Hicks, Commissioner District 2

# PHELPS COUNTY COMMISSION RECORD

August 15, 2019 Fourteenth day of the July term

Now at this the 15th day of August 2019 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  
TECHNICAL ASSISTANCE  
CONTRACT BETWEEN  
MRPC AND MREPC:

This contract, between Meramec Regional Planning Commission, Meramec Regional Emergency Planning Committee and 7 participating counties was approved as moved by Commissioner Hicks and seconded by Commissioner Stratman. Phelps County Focus Staff Writer Andrew Sheeley was also present.

IN THE MATTER OF  
ROAD 3410:

Local resident Bill Schaub of 12290 Road 3410 left a message to have a Commissioner call him. The Commission discussed the hauling of soil from a parcel owned by a paving company, which is being supplied for the State Route BB shoulder work. This company has offered to pay for road repair, having been urged to do so by MoDOT according to Presiding Commissioner Verkamp.

IN THE MATTER OF  
PERSONAL PROPERTY  
COURT ORDERS:

The Commission reviewed and approved personal property court orders numbered 1975, 1976, and 1977 for add-ons of 2016, 2017 and 2018 to July 2019.

IN THE MATTER  
OF SALES TAXES:

Treasurer Carol Green presented sales tax revenues for August 2019 showing \$202,175.97 and \$151,631.68 for County Revenue and Law Enforcement Sales Tax, respectively. The rolling twelve month comparison shows an increase of 1.59%.

IN THE MATTER  
OF USE TAX:

Green participated in a discussion of use tax. Commissioner Stratman said that the Motor Vehicle Sales Tax "fix" passed in April 2016 in Phelps County would be a precedent of a use tax that is not rolled back; it is a "pure" use tax. Green however pointed out that the revenue for Motor Vehicle Sales Tax is already apportioned directly to Road & Bridge as part of the CART funds. Misinformation published in a local paper was discussed.

IN THE MATTER OF  
FAMILY COURT GRANT:

**PHELPS COUNTY COMMISSION RECORD**  
**August 15, 2019 Fourteenth day of the July term**

FAMILY COURT GRANT, Continued:

25<sup>th</sup> Circuit Court 2<sup>nd</sup> Division Associate Judge Mark Calvert with local attorneys Carolyn Buchjost and Emily Woodward came to provide information on another Office of State Courts Administration (OSCA) grant for co-parenting education with high-conflict divorces, in which there are charges of alienation. Anticipatory guidance of these parents is felt to be helpful. A counselor from the St. Robert area is felt able to help, especially in identifying cases where a child or children might suffer psychological injury. Since this grant is occurring mid-year, a budget amendment will be needed. Calvert, Buchjost, and Woodward then left.

IN THE MATTER OF  
QUARRY SUBDIVISION  
ROAD VARIANCE:

Local developer Tom Sowers wanted to speak about expensive repairs of roads. He provided photographs of Road 5160, with nearly a surface-wide patch of the surface; Presiding Commissioner Verkamp said this was grader patching in preparation of 2.1 miles of chip and seal. Then Sowers showed a two-scoop hand-patch of a road leading to his subdivision. Commissioner Hicks said this was strictly temporary repair, as the depressed area would need to be dug out for a more definitive repair. Sowers said he did not feel he had been treated fairly and fair treatment was all he asked for. He reported that he had accepted the better of two bids for 3" of asphalt on several of his subdivision roads; it will cost him well over \$100,000. He would like chip and seal to be permitted from a point between Flagstone Circle (on the west) and Slate Circle (on the east), closer to Flagstone, on the road known as Quarry Trail, to a point just past Quartz Lake Drive. This is approximately 828 feet. Improved chances of sale of lots with surface treatment was acknowledged. Commissioner Stratman revisited the concern of road damage should heavy construction traffic ensue. Sowers said he only wanted a variance for the last 828.34 feet of Quarry Trail as it exists now. Sowers agreed he would cost share one extra surface treatment of Quarry Trail in today's dollars, which would be half of \$6,233, or 3,116.51. The current cost of chip and seal is \$5.66 per foot at 18' wide; his roads are to be 24 feet. Commissioner Stratman moved to grant a variance for 828 feet of Quarry Trail, beginning at the existing terminus of current chip and seal on condition that the first resurfacing is done as a 50/50 cost share between Tom Sowers & Company and the County, with \$3,116.51 from Sowers as his share in today's dollars. This was seconded by Commissioner Hicks and thus approved.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 68 and 57 invoices in the amounts of \$123,079.90 and \$103,121.27.

READ AND APPROVED:

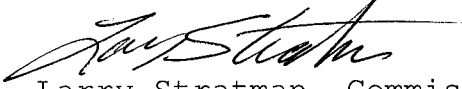
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**August 15, 2019 Fourteenth day of the July term**

READ AND APPROVED, Continued:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

# PHELPS COUNTY COMMISSION RECORD

August 20, 2019 Fifteenth day of the July term

Now at this the 20th day of August 2019 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  
USE TAX:

The Commission deliberated about holding an election to impose a Local Use Tax at the County level. Local residents Alfred Chapman and Ray Schweikhardt were also present, as were Collector Faith Barnes and Phelps County Focus Staff Writer Andrew Sheeley. Recounting what he had heard at the Rolla City Council meeting the previous evening, Chapman said that Rolla City Administrator said that "the use tax is going to lower the property tax." Commissioner Stratman said he doubted that this had been said. The property tax rollback was discussed; Commissioner Stratman provided the April 1981 language and the clerk summarized the roll back calculation. Presiding Commissioner Verkamp said a Missouri Municipal League employee with some expertise in this matter will be coming to speak. Local resident Edna Smith then arrived. Chapman asked how the revenue would be dedicated; Presiding Commissioner Verkamp said a decision had not been made. Commissioner Stratman volunteered that the money would not be substantial enough, anyway, to impact property levies after a rollback. Smith said shopping locally would help to lower the local property taxes. Treasurer Carol Green entered at 9:16 a.m. Chapman said he was interested in paying for Roads and Phelps County Sheriff's Department (PCSD), not "people's wants." Commissioner Stratman asked if Chapman considered roads to be a safety issue. Chapman responded that the Centre is not a public health or safety issue; he was willing to pay for roads, police and fire. Commissioner Hicks asked if the county was utilizing their money appropriately, and Chapman demurred, saying he was not that familiar with the budget. He added that "Bike riders and dog owners should pay for what they want." Chapman thanked the Commission for the chance to speak, and left at 9:22 a.m. Schweikhardt, when asked his opinion, said that he had been retired for 25 years and his income was decreasing all the time; he would be loath to vote for the tax. Smith asked about plans for closing the airport for 20 days for resurfacing the runway. Assistant Prosecutor Bill Hudson and local resident Chester Kojro arrived at 9:23 a.m. Hudson believes the rate of 1.125%, being equal to the sum of the County Revenue sales tax of 0.5%, the Law Enforcement Sales Tax (LEST) of 0.375% and the E911 tax of 0.25%, was proper and that ballot language pursuant to RSMo 144.757.1 was correct. Hudson reported then that there would be no roll back required on a use tax, as it is meant to capture revenue from outside the county. Ballot language was the discussed again; Commissioner Hicks felt encumbering or earmarking the revenue was to be avoided. Presiding Commissioner Verkamp thought it seemed likely that earmarking was not advisable and roll back was indeed not required. Commissioner Stratman wanted to reconsider the rollback.

# PHELPS COUNTY COMMISSION RECORD

August 20, 2019 Fifteenth day of the July term

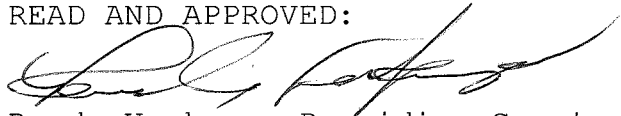
IN THE MATTER OF  
TRANSPORTATION  
DEVELOPMENT DISTRICT:

A recent meeting was discussed.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of an invoice for \$600.00.

READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Spratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2



# PHELPS COUNTY COMMISSION RECORD

August 22, 2019 Sixteenth day of the July term

Now at this the 22nd day of August 2019 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  
USE TAX:

The Commission met with Treasurer Carol Green, Assistant Prosecuting Attorney Bill Hudson and Collector Faith Barnes to further delineate the county's Local Option Use Tax language for the ballot. Phelps County Focus Staff Writer Andrew Sheeley was also present. Green provided data including Atchison County's use tax revenues at 36% of sales tax revenue, but 6% on the average for Morgan, Marion and Camden counties. Should the county see about 8%, this would imply \$500,000 in use tax revenue over a calendar year. She had spoken with Missouri Association of Counties President Dick Burke, who said that a phrase added to promote the idea of fairness had helped other jurisdictions pass the tax. Responding to the clerk's question regarding the implication of the statute found in Revised Statutes of Missouri 114.757 specifying that the ballot of submission "...shall contain substantially the following..." language, Hudson said there was no case law regarding the implications of the word "substantially" and that there had been no challenges thus far of the language used in use tax issues. Commissioner Stratman suggested that it might be helpful to append something similar to "...for the improvement of public services." Sheriff Rick Lisenbe arrived at 10:10 and he was joined shortly after by Deputy Clerks Shelley Johnson and Peter Cook. Commissioner Hicks thought making the language plainer and simpler was better. Sheriff Lisenbe asked where the revenue would be used. Presiding Commissioner Verkamp said it would go to general revenue. Cook commented that the state's 4.225% use tax was apportioned in the same way as the state sales tax. Commissioner Stratman was firm in his opposition to dedicating the funds. Barnes said she was in favor of adding more to the language, perhaps emphasizing that the revenue would be used for public services. As moved by Commissioner Stratman, seconded by Commissioner Hicks, the following language was approved:

## QUESTION 1

Shall the County of Phelps impose a local use tax at the same rate as the total local sales tax rate, currently one and one-eighth percent (1.125%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year. The purpose of the proposal is to eliminate the current sales tax advantage that non-Missouri vendors have over Missouri vendors. The proceeds shall be used to improve county services.

# PHELPS COUNTY COMMISSION RECORD

August 22, 2019 Sixteenth day of the July term

USE TAX, Continued:

Johnson and Cook left.

IN THE MATTER OF  
LAGERS AND JAILERS:

Deputy Clerk for HR Lisa Dowdy had brought a new LAGERS option to the attention of the clerk, and this was reported to Sheriff Lisenbe. Passage of legislation during the 2019 session had made an option available to counties whereby jailers could retire at 55 as allowed for post-certified law enforcement personnel and a higher contribution rate on the part of the county to the LAGERS pension as well. This was part of Senate Bill 17, signed by Missouri Governor Mike Parson on July 10, 2019 and taking effect August 28, 2019. Remuneration of PCSD personnel in general was discussed. Green then left.

IN THE MATTER OF  
COURTHOUSE SECURITY:

Lisenbe discussed duress alarm upgrades to the courthouse, and then left.

IN THE MATTER OF  
EMPLOYEE HEALTH INSURANCE:

Commissioner Stratman provided details of a lengthy discussion he had with Managed Care personnel and Phelps Health Representatives. A significant amount of anonymized health claims data had been reviewed and Managed Care offered to write a request for proposals for the health insurance bid for 2020. No actions were taken.

IN THE MATTER OF  
PWSD #4:

Collector Faith Barnes then returned with a Collector's Court Orders 2018000034 and 2018000035 removing sewer fees from a bill, as the attorney for the property owner had threatened a lawsuit due to the attachment of sewer fees to the property tax bill. Barnes said several collectors had told her they did not like collecting sewer bills; after some discussion the court order removing the fees was signed with the proviso that PWSD #4 would provide a letter stating that this was board approved. The fees could still remain as a lien on the property.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed payment of 37 and 26 invoices of a general nature in the amounts of \$12,432.24 and \$89,127.33, respectively. They also reviewed the Economic Activity Taxes (EATS) for the Rolla Westside TIF in the amount of \$6,293.99 and 4 invoices for contract pay and employee reimbursements in the amount of \$836.11.

**PHELPS COUNTY COMMISSIONION RECORD**

**August 22, 2019 Sixteenth day of the July term**

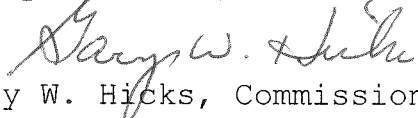
READ AND APPROVED:



Randy Verkamp, Presiding Commissioner



Larry Stratman, Commissioner District 1



Gary W. Hicks, Commissioner District 2

**PHELPS COUNTY COMMISSION RECORD**  
**August 27, 2019 Seventeenth day of the July term**

Now at this the 27th day of August 2019 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 5160:

The Commission received a call about the east end of Road 5160 where a cross-culvert had been removed to address complaints of the landowners on the north side of the road, who being lower in elevation were concerned about water pooling on their land. Photographs were provided which showed that water had jumped the road at this spot and the pavement showed significant damage. Local resident Ray Schweikhardt, Collector Faith Barnes and Phelps County Focus Staff Writer Andrew Sheeley were also present.

IN THE MATTER OF  
MERAMEC REGIONAL  
PLANNING COMMISSION:

The Commission received the invoice for dues from 7/1/2019 to 6/30/2020 for \$9,803.54 and approved it for payment.

IN THE MATTER OF  
COLLECTOR'S DELINQUENT  
TAX SALE:

Collector Faith Barnes reported on the delinquent tax sale held on the August 26 with sale of 20 properties in about 20 minutes; not all were sold. She briefly discussed the disposition of properties; approximately 54 properties had been pared down to 20 with a combination of property owners themselves and neighbors or family members paying some of the bills. Barnes estimated approximately \$700.00 for the typical three-year delinquent tax bill, including fees and publication costs. Schweikhardt then left.

IN THE MATTER OF  
CART FUNDS:

Treasurer Carol Green entered and provided the CART fund revenues for the month, with gas tax, motor vehicle sales tax and motor vehicle fees of \$55,153.86, \$17,651.69 and \$7,855.31, respectively.

IN THE MATTER OF  
WORKER'S COMPENSATION:

Green reported on Phelps County's 136% loss ratio calculation.

IN THE MATTER OF  
USE TAX:

**PHELPS COUNTY COMMISSION RECORD**  
**August 27, 2019 Seventeenth day of the July term**

USE TAX, Continued:

Local resident Chester Kojro arrived and Commissioner Stratman began by reporting that the city of Rolla planned an informational meeting on Thursday, September 5, 2019 to be held at 5:30 p.m. in the courthouse multipurpose room. City Administrator John Butz had secured a commitment from Stewart Haynes of the Missouri Municipal League (MML) to present details on the use tax. Butz wanted the Commissioners and Rolla Mayor Lou Magdits to speak at the meeting also. The title of the ballot proposal was discussed again; the Commission knew the deadline to certify their ballot language to the clerk was 5:00 p.m. that day. The "Internet Fairness Act" was suggested and Kojro said that could be confused with issues relating to use of and access to the Internet. Presiding Commissioner Verkamp asked what would "sell" the proposal, and Commissioner Stratman said it was the fairness issue. Verkamp wondered if there was merit in changing the ballot title, currently written as "QUESTION 1". Green and Barnes thought there was. Commissioner Stratman offered that dissociating from the issues on the ballot for Rolla and St. James city use taxes served no purpose. After lengthy discussion Commissioner Stratman said "PROPOSITION 1" would share the first word with the two city proposals, which were "PROP. P.S. FOR "PUBLIC SAFETY" (Rolla) and "PROPOSITION A" (St. James).

Presiding Commissioner Verkamp left the meeting to discuss jury duty summons for Road Department employees with Presiding Judge William Hickle.

IN THE MATTER OF  
CLOSED SESSION:

After Presiding Commissioner Verkamp returned, Commissioner Hicks moved and Commissioner Stratman seconded entering closed session at 10:30 a.m. pursuant to RSMo 610.021 (5) - personally identifiable health information. The meeting returned to open session at 10:45 a.m. as moved by Commissioner Hicks, seconded by Commissioner Stratman. No actions were taken.

IN THE MATTER OF  
THE PINES SUBDIVISION:

Local developer Tom Sowers entered to report on a meeting the prior night at The Pines, where he says the board of the homeowner's association is active and determined to take steps to address the water issues resulting from ditches being leveled and any lack of needed culverts.

IN THE MATTER OF  
QUARRY SUBDIVISION:

Sowers then requested several road signs as he continues to show and sell lots in his subdivision. He volunteered to pay for the labor and materials but was unsure where to procure such signs, with one needed for the intersection of Quarry Trail and Slate Circle, and one at the intersection of Quarry Trail and Quartz Lake Drive. Coroner Andy Davis then entered very briefly, and

# PHELPS COUNTY COMMISSION RECORD

August 27, 2019 Seventeenth day of the July term

QUARRY SUBDIVISION, Continued:

Assistant Prosecutor Brad Neckermann entered, whereupon Sowers left.

IN THE MATTER OF  
CLOSED SESSION:

As moved by Commissioner Hicks, seconded by Commissioner Stratman, the meeting re-entered closed session at 11:00 a.m. pursuant to RSMo 610.021 (5) - personally identifiable health information. Information was shared with Neckermann but no actions were taken. As moved by Commissioner Hicks, seconded by Commissioner Stratman, the meeting returned to open session at 11:15 a.m.

IN THE MATTER OF  
USE TAX, FINAL BALLOT LANGUAGE:

As moved by Commissioner Stratman, seconded by Commissioner Hicks, the last sentence which said, "The proceeds shall be used to improve county services," was removed and the title was changed from "QUESTION 1" to "PROPOSITION 1". The final language will be:

## PROPOSITION 1

Shall the County of Phelps impose a local use tax at the same rate as the total local sales tax rate, currently one and one-eighth percent (1.125%), provided that if the local sales tax rate is reduced or raised by voter approval, the local use tax rate shall also be reduced or raised by the same action? A use tax return shall not be required to be filed by persons whose purchases from out-of-state vendors do not in total exceed two thousand dollars in any calendar year. The purpose of the proposal is to eliminate the current sales tax advantage that non-Missouri vendors have over Missouri vendors.

[     ]     Yes

[     ]     No

IN THE MATTER OF  
JURY DUTY:

Presiding Commissioner Verkamp reported that jury duty could be delayed once, but not excused, for the Road Department employees. One has already had a delay, so must report; two have never had a delay so may wait until a time better suited to the Road Department's schedule.

IN THE MATTER OF  
FOREST ROAD 1892:

Local resident Noah Wills came to report that this road leading west from US Highway 63 South, into Lane Spring, was gated shut when the park was closed. However, there was a significant stretch of road outside this gate, along which he and other people lived and the road had not been maintained during

**PHELPS COUNTY COMMISSION RECORD**  
**August 27, 2019 Seventeenth day of the July term**

FOREST ROAD 1892, Continued:


inclement winter weather. Presiding Commissioner Verkamp referred Wills to the Forest Service.


IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commissioners reviewed and approved payment of one invoice for contract pay in the amount of \$288.00.

READ AND APPROVED:

  
Randy Verkamp, Presiding Commissioner

  
Larry Stratman, Commissioner District 1

  
Gary W. Hicks, Commissioner District 2

# PHELPS COUNTY COMMISSION RECORD

August 29, 2019 Eighteenth day of the July term

Now at this the 29th day of August 2019 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 Katie Henson kept the minutes in the absence of the clerk.

IN THE MATTER OF  
TRANSPORTATION  
DEVELOPMENT DISTRICT (TDD):

The Commission heard a report on the recent TDD meeting and potential road improvements, including reconfiguration of Ridgeview, Kingshighway and the 72 Extension. Local residents Ray Schweikhardt and Alan Sachs, Treasurer Carol Green and Recorder Robin Kordes were also present.

IN THE MATTER OF  
ACCOUNTS PAYABLE:

The Commission reviewed and approved accounts payable.

IN THE MATTER OF  
PHELPS HEALTH AIR:

The Commission considered the Phelps Health Air ambulance service which does not require a membership and will charge only what insurance pays; this benefit was compared and contrasted to MASA prices; MASA is subscribed to by 39 employees..

IN THE MATTER OF  
USE TAX AND  
MEDIA COVERAGE:

The Commission expressed disagreement with some of the published content in an article about the Use Tax.

IN THE MATTER OF  
MERAMEC VINEYARDS WINERY:

This business was noted to be under new management.

IN THE MATTER OF  
COURTHOUSE HVAC:

The Commission discussed the lack of completion of the courthouse HVAC project and the need for legal counsel regarding the county's options.

IN THE MATTER OF  
EMPLOYEE HEALTH  
INSURANCE:

The Commission deliberated on medical coverage in the face of prolonged absence from work while on worker's compensation.



**PHELPS COUNTY COMMISSION RECORD**  
**August 29, 2019 Eighteenth day of the July term**

IN THE MATTER OF  
REDEEMED PROPERTY:

Sachs inquired about purchasing property "on the courthouse steps" and obtaining funds after the property had been redeemed.

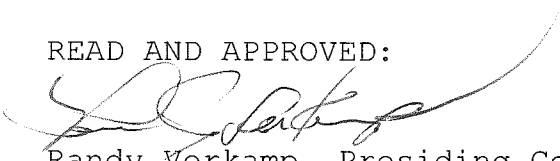
IN THE MATTER OF  
USE TAX:


Aspects of the use tax such as nexus in the state for a given vendor and the county's plans for the revenue, should the tax pass, were discussed. The Commission felt that the latter issue would be best if settled before the September 5, 2019 public forum.

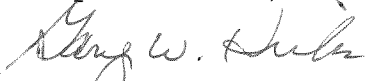
IN THE MATTER OF  
COUNTY RIGHTS-OF-WAY:

The Commission received a call from "Stacey" in Edgar Springs, curious about fence lines and rights-of-way.

READ AND APPROVED:

  
Randy Verkamp, Presiding Commissioner

  
Larry Stratman, Commissioner District 1

  
Gary W. Hicks, Commissioner District 2