Now at this the 2nd day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF JAIL EXPANSION:

Local residents Travis and Owen Bahr and Ray Schweikhardt were present as were Laura Taylor, Executive Director of Phelps County Industrial Solutions; Vickie Jones, PM for Future Care, Inc.; Sarah Skyles, HR Manager of Future Care; Renee Ridling, Executive Director for Gingerbread House; Cindy Wagner, Coordinator for Phelps County Recreation for the Handicapped. At 0905, local residents Dan Sutterfield and H. Mark Eudaly entered. Sheriff Mike Kirn was present as was a local reporter. Despite the scheduled bid opening at 0900, Commissioner Verkamp engaged Kirn—who had a time—sensitive appointment elsewhere—in a discussion of the revenue stream available to pay any bonds related to jail expansion. Kirn believes the revenue stream will be adequate.

IN THE MATTER OF CONTRACT BID HAULING:

The sealed bid from Daniels Construction for contract hauling was opened at 0910. The sole bidder, they submitted \$100/hour. The bid was shared with Acting Superintendent of Roads Mark Case and Michelle Bock, of the Road Department, who entered briefly just after 0900 and left again. The bid was taken under advisement.

IN THE MATTER OF MULTIPURPOSE ROOM USE:

Dan Sutterfield asked about showing the movie, "2,000 Mules" by Dinesh D'Souza at the Multipurpose Room and he wanted to broach the subject with the Commission since there is some controversy. Commissioner Hicks suggested that Sutterfield look into copyright infringements; otherwise, the Commission had no objections. Sutterfield left roughly 0915.

IN THE MATTER OF INCAPACITY ADJUDICATIONS AND VOTING:

Cindy Wagner with Phelps County Recreation for the Handicapped spoke of the 225 individuals they serve in Phelps County with DD; their program is 42 years old. She is unaware of how many of their clients are able to but says those clients are very proud of their ability to vote. Mark Eudaly asked if he could ask questions; responding, the clerk read Mo Const Article VII Section 2. Eudaly said his son has a friend who attained Eagle Scout status who is in this situation. Public Administrator Dana Sooter and Jamie Crump entered at 0920. Jones, who works with Future Care, contributed her comments that some of the people who are adjudicated incapacitated in this way are very diligent about doing their homework before voting; some of the

INCAPACITY ADJUDICATIONS AND VOTING, Continued:

clients do not use the opportunity to vote. Taylor related that a client could not be accompanied by his parents into the hospital during COVID; parents of this young adult sought guardianship to help them with their circumstance. Ridling spoke to the varied needs of people with guardians, saying some retain the right to vote. She said, "A young woman I know, is under guardianship because she makes horrible decisions with respect to men and terrible decisions about money." Ray Schweikhardt said what is being discussed is the people in the community who are "completely unable to function." The clerk explained her feelings of demoralization due to the state constitution, to which she took an oath, as well as an election law statute, both saying something different than that found in the probate and guardianship chapter. She displayed the very large, text-filled wall poster of the legislative language behind the November, 2018 statewide ballot issues; she said, "It took me an entire weekend to read this. This is what we are asking of voters." When an answer was demanded, she said that individuals with court orders for guardianship which preserved the right to vote had not and would not be deleted. The group made it plain that they felt the clerk was being very prejudicial and unfair, especially shortly before the August 2, 2022 Primary Election. After a few more comments they exited with the reporter at 0955.

IN THE MATTER OF ROAD VACATION:

James Crump entered at 1000 to inquire about a road vacation hearing and was informed the initial hearing would be Tuesday, July 5, 2022.

IN THE MATTER OF ROAD FUNDING:

Strategies for funding roads was discussed.

IN THE MATTER OF CITY OF ROLLA:

Inquiry from the city of Rolla regarding County contribution of ARPA funds for expansion of sewer in the Northwye area was briefly discussed; no actions were taken.

READ AND APPROVED:

Jan W. Duch

Randy Verkamp, Presiding Commissioner

Joey Auxier, Commissioner District 1

Gary W $\mathcal O$  Hicks, Commissioner District 2

Now at this the 7th day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF JUNETEENTH:

Treasurer Carol Green and Collector Faith Barnes were present as was the reporter. Assessor Bill Stoltz entered at 0905. Stoltz suggested to Presiding Commissioner Verkamp, when asked, that if Juneteenth (June 19) was a state holiday for which the Circuit Clerk and the Courts would be closed, that the County offices could be closed. Barnes said the same; Green said that in light of her upcoming retirement, she would defer to others. Commissioner Hicks was emphatic in his opposition to using the day as a holiday. Commissioner Auxier wanted to take the item under advisement; Governor Parson was expected to sign one or more pieces of legislation today but it was unclear if the pertinent statute was among them. Michelle Bock of the Road Department entered at 0920 and Green briefly left.

IN THE MATTER OF ROADS:

Bock reported on culvert replacement on Road 1020. When asked about the Donelson pressure paving proposal, Presiding Commissioner Verkamp said that it wasn't under a cooperative bid. Local resident Chester Kojro entered at 0925 followed by Sheriff Kirn. After a sidebar consultation with Kirn, the reporter left at 0930.

#### JAIL EXPANSION:

Sheriff Kirn reported that he spoke with a local bank and was informed of an alternative, such as a direct loan. The interest rate is a little higher, but might be adjustable if interest rates go down. Just as Bock left at 0940, Green returned. banker had said that his bank had 7-8 billion set aside for government loans. If something happened, the loan terms could be modified. There would be no penalty for prepayment, unlike with bond financing. Commissioner Hicks said he was still unclear on the total cost; Kirn said that if it was an addition only, it was \$13 million; if it was an addition with a remodel, it would be \$17.8 million. Kirn feels that without the remodel there will be a need to feed inmates in shifts. Renovation would be an increase from 4 to 12 isolation cells; larger and improved kitchen and laundry facilities. Kirn said that with closure of private facilities, the feds were "begging for facilities." A lengthy discussion ensued about the possibilities, including potentially using funds on hand for the expansion and the CAP grant, still in the approval process, for the remodel. With the CAP grant, the federal government pays a portion or all of the cost of a jail as long as space is reserved for federal inmates.

IN THE MATTER OF FLOODPLAIN ADMINISTRATION:

The Commission received and reviewed new floodplain guides for distribution to property owners and for the use by Assessor's and Road personnel. These were from MRPC, the Floodplain Administrator for the County.

IN THE MATTER OF EMPLOYEE INSURANCE:

The Commissioners reviewed the Benefit Performance Report from Groups Benefit Services for the month of May; year-to-date loss ratio is 64% and reserve account balance, available to pay claims, is \$791,270.79.

IN THE MATTER OF HEALTH DEPARTMENT GRANTS:

Phelps/Maries Health Department Director Ashley Campbell entered at 1055 with several grant documents. She said that the WIC was an amendment for an inadvertent omission of the indirect cost part of the contract, which had been supplied by DHSS. As moved by Commissioner Hicks and seconded by Commissioner Auxier, this was approved. Campbell explained that her department had continued billing for 10% of indirect costs, as this provision had always been in the contracts before. She has a contract with DESE for Safe Cribs; many grant contracts have been moved from DHSS to DESE. This was approved as moved by Commissioner Hicks and seconded by Commissioner Auxier.

IN THE MATTER OF DOCUMENTATION OF VACATION OF ROAD 7530 AND LAND OPTION:

Deputy Clerk Peter Cook informed the Commission that neither the vacation of the road nor the land option for Road 7530 had been recorded. The road vacation dated to January 24, 2013. Presiding Commissioner Verkamp called attorney Kent Robinson who had originally mentioned that the land option was not recorded; new documentation will be prepared.

IN THE MATTER OF SENIOR COMPANIONS:

The Commissioners received, reviewed and approved the in-kind contribution report for the County to the Phelps County Senior Companions as moved by Commissioner Hicks and seconded by Commissioner Auxier.

READ AND APPROVED

Randy Verkamp, Presiding Commissioner

Joey Muxier, Commissioner District 1

Now at this the 9th day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF JAIL EXPANSION FINANCING:

Local resident Ray Schweikhardt and First State Community Bank President for Rolla/Richland Ernest F. Kost were present. Kost provided some information about his bank and its 58 branches. Sheriff Kirn and Theresa Lasher of the Sheriff's Department as well as Treasurer Carol Green entered at 0902 along with the reporter. Kost proceeded to recount some details of a leasepurchase with the bank, as opposed to financing through the alternative of Certificates of Participation. His bank can offer a tax-exempt loan, which not all banks are able to do. His bank financed the jail building in Pulaski County and sewer district in St. James; the Pulaski County Commissioners might provide a reference. When prompted about the subject by Kirn, Kost said that by state statute this did not need to be bid. He has a government lending specialist on staff at his bank who can be available for more detailed questions. Kost left at 0920. Thereafter, the cap on number of federal inmates and the different interest rates for taxable versus tax-exempt portions were discussed. After providing Presiding Commissioner Verkamp information on the timeline for the project, Kirn and Lasher left at 0930.

IN THE MATTER OF SALES TAX REPORT:

Green presented the sales tax revenues showing \$359,284.88 for the 0.5% county tax, pointing out that the rolling twelve month was down to 9.9% above prior year, compared with 12.5% the prior month.

IN THE MATTER OF AMERICAN RESCUE PLAN ACT (ARPA):

Green said that she had taken the initial steps for the \$4.3 million second tranche of ARPA fiat; Presiding Commissioner Verkamp will be receiving notice for his electronic signature, etc. Green left at 0935.

IN THE MATTER OF COLLECTOR:

Collector Faith Barnes entered at 0935 and reported that she currently had 147 properties which were candidates for the Collector's Delinquent Tax sale. Barnes, and then the reporter, left by 0940.

IN THE MATTER OF PAYROLL:

PAYROLL, Continued:

The Commissioners reviewed and approved payroll for 6/15/22, with net salaries of \$242,102.25. Federal and state withholdings were \$76,564.83 and \$11,057.50, respectively.

IN THE MATTER OF DOCUMENTATION, VACATION OF ROAD 7530:

As moved by Commissioner Auxier and seconded by Commissioner Hicks, the following documents which had been prepared by Attorney J. Kent Robinson, were approved:

#### ORDER VACATING A PORTION OF COUNTY ROAD 7530 PURSUANT TO RSMO 228.110

NOW ON THE DATE SHOWN BELOW, the County Commission of Phelps County, Missouri confirms, declares, and determines as follows:

1. On October 2, 2012, the Phelps County Commission, pursuant to and in accordance with RSMo 228.110, publicly read a petition signed by twelve residents of Arlington Township to vacate a portion of Phelps County Road 7530 described as follows:

That portion of Phelps County Road 7530 lying between the North right-of way line of Missouri Stat Highway "P" and a point two hundred twenty-five (225) feet South of the South right-of-way line of the Burlington Northern & Santa Fe Railroad.

- 2. On said date, the Petition was publicly read, and the matter was thereafter continued without further proceedings until the first day of the next term, that being January 4, 2013.
- 3. Notice of the filing said Petition describing the portion of the road sought to be vacated was posted in not less than three (3) public places in said township at least twenty (20) days before the first day of the next term of the Commission, and all persons residing in said township whose lands are crossed or touched by the road portion proposed to be vacated acknowledged receipt of said Petition waiving formal service thereof.
- 4. On January 4, 2013, the first day of the next regular term of the Commission and after the first reading, the said Petition was again publicly read, and a second petition signed by residents opposed to the road vacation was presented, duly discussed, and considered by the Commission, whereupon further action on the Petition to vacate said roadway was tabled until January 17, 2013.
- 5. On January 17, 2013, the Commission again considered said Petition to vacate a portion of County Road 7530, more particularly described above, and the Phelps County Commissioners unanimously found as follows:
  - a. The entire above-described roadway portion for which vacation is sought lies within the Arlington Township, Phelps County, Missouri.
  - b. The said roadway portion as above described has been closed (as of January 17, 2013) for over two years, needs major renovations and repair and, without such repairs, is otherwise useless to the County and its residents as a roadway.

DOCUMENTATION OF ORDER, VACATION OF ROAD 7530, Continued:

- c. Repairing of the said roadway portion as above described would be an unreasonable burden upon the County Road District within which it lies.
- d. The property owners to whom the vacated portion of said roadway will revert agreed to rededicate the said roadway, or a mutually agreed upon alternative roadway, back to Phelps County should funds become available in the future to reopen the same to public traffic and should the County be inclined to reopen said roadway and said property owners have provided the County with a signed option in a recordable format evidencing said agreement acceptable to the Commission.
- 6. In addition to the foregoing and as of the date below, no county aid road trust funds from or through the Missouri Department of Transportation have been used or expended upon that portion of the road for which vacation is sought for a period of more than five (5) years and said road portion has not been used by the public for a period of more than five (5) years continuously, for which reason, pursuant to RSMo 228.190, said roadway portion is deemed abandoned.
- 7. For reasons unknown, the original order vacating the said portion of County Road 7530, dated January 24, 2013, although duly noted in the regular meeting minutes of the Commission, was not recorded and cannot now be located, for which reason this Order is being now executed for recordation.

FOR THE FOREGOING REASONS, IT IS HEREBY ORDERED AND CONFIRMED BY THE PHELPS COUNTY COMMISSION that the portion of Phelps County Road 7530 more particular described in Paragraph 1 hereof, and pursuant to RSMo 228.110 and 228.190, is deemed, and hereby is, formally vacated and abandoned, and the said roadway portion, as above described shall, in accordance with law, revert back to the property owners whose property adjoins said vacated roadway portion.

DATED this 9th day of June, 2022. PHELPS COUNTY COMMISSION

By: Randy Verkamp Presiding Commissioner

By: Joey Auxier
District 1 Commissioner

By: Gary W. Hicks District 2 Commissioner

#### ATTEST:

By: Pamela K. Grow Phelps County Clerk

(County Seal)

IN THE MATTER OF ROAD 3450:

ROAD 3450, Continued:

Local resident David Shaw came in at 1020 and said signs at the intersection of BB and 3450, as well as 3450 and 3410 road marking signs and the speed limit signs were gone; the stop sign on the SE corner of the intersection of 3450 and 3410 is intact. There was some discrepancy in Shaw's account as compared with that of others traveling the area with some frequency; though he may be referring to signs installed and maintained by MoDOT rather than the County Road Department. Shaw then left at 1035.

IN THE MATTER OF CITIZEN INPUT (CHESTER CRIDER):

Local resident Chester Crider came in to report that the Pine Hill cemetery on Road 3470 had been desecrated recently during some high school graduation partying; a WWI Marine Veteran's headstone had been among them. He became aware when he was out prior to Memorial Day trimming tree limbs. He was significantly bothered by the disrespect leading to these actions.

IN THE MATTER OF ROAD EQUIPMENT:

Michelle Bock of the Road Department entered and discussed some of the road equipment with the Commission.

IN THE MATTER OF ACCOUNTS PAYABLE:

The Commission reviewed and approved accounts payable consisting of 31 and 36 invoices in the amounts of \$12,292.38 and \$50,128.72, respectively.

READ AND APPROVED:

01

Randy Verkamp, Presiding Commissioner

Joey Ayxier, Commissioner District 1

Now at this the 14th day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF BRO BRIDGE PROGRAM:

Jeff Banderet, P.E. with Great Rivers Engineering, entered and provided information about Phelps County's current status with this program. Some of the parameters have changed; MoDOT has declared four bridges in Phelps to be eligible for the BRO program:

- On County Road 3620 over a branch of Dry Fork Creek;
- On County Road 7460 over Little Piney Creek;
- On County Road 8410 over Spring Creek;
- On County Road 2110 over a branch of Spring Creek. The first three were built in 1900; the last in 1946. Banderet said the county might aim for three applications, with one bridge replaced in each of the next three years. The County has \$140,000 in BRO funds and \$18,000 in the soft match account. Jail Lt. Joe Taylor and the reporter were also present, as were Curt Gilliam and Ernie Kost of First State Community Bank. Collector Faith Barnes and Assessor Bill Stoltz entered at 0910. Noting that Boone County had 18 bridges eligible, Banderet said that the County had until late July to complete applications and that the awards would be made in September. Michelle Bock of the Road Department entered at 0920, and after a few more comments, Banderet left at that time.

IN THE MATTER OF JAIL EXPANSION FINANCE:

Kost deferred to Gilliam who said that, though he was not an attorney, his long understanding was that lending services did not fall under statutory bid requirements. He spoke with an attorney with Gilmore & Bell; the thinking is that there are so many variables in these financing instruments that there is no way to make comparisons, essentially. Local resident Chester Kojro entered at 0925. Kost spoke of the current interest rate volatility. Presiding Commissioner Verkamp said that perhaps acceleration in the pay down period was far more attractive than a low interest rate. Fairly extensive discussion about rates and any potential bid process-which would entrain the volatile rate environment with looming increases-ensued. Recorder Robin Kordes and Phelps/Maries Health Department Director Ashley Campbell entered at 0940. Responding to Taylor's inquiry, Presiding Commissioner Verkamp said that the Commission was awaiting legal opinion from the Prosecuting Attorney. Gilliam, Kost and Taylor left at 0950.

IN THE MATTER OF JUNETEENTH:

Barnes said that, "We have outside agencies asking us daily," and as moved by Commissioner Auxier and seconded by Presiding

JUNETEENTH, Continued:

Commissioner Verkamp, with a vote of opposition by Commissioner Hicks, the holiday was granted. Barnes, Stoltz, Campbell and Kordes left followed by the reporter.

IN THE MATTER OF BID AWARD, CONTRACT HAULING:

As moved by Commissioner Hicks and seconded by Commissioner Auxier the sole bid for contract hauling from Daniels Construction Company, at \$100.00 per hour, was approved.

IN THE MATTER OF BRO APPLICATION SERVICES:

Presiding Commissioner Verkamp spoke with MRPC Executive Director Bonnie Prigge about potentially using grant hours with MRPC to have the BRO applications prepared.

IN THE MATTER OF DOCUMENT DESTRUCTION:

As moved by Commissioner Hicks and seconded by Commissioner Auxier, the following documents having passed the state document retention period were approved for destruction:

- 2014 Notary paperwork
- 2015 Notary paperwork
- 2016 Notary paperwork
- Passport Transmittal form 3/1/19-3/18/20
- 2016 Jury lists
- 2015 Jury lists
- 2016 Grand Jury

March 10, 2020 Presidential Preference Primary

- Unvoted Ballots Doolittle, Jerome, Newburg, Edgar Springs
- Unvoted Ballots Dawson/St James, Dillon Central 1 of 2
- Unvoted Ballots Dillon Central 2 of 2, Dillon North, Dillon South
- Unvoted Ballots Cold Springs East, Cold Springs West, Meramec/St James 1 of 2
- Unvoted Ballots Meramec/St James 2 of 2, Miller/Rolla Outside North, Rolla Ward 1 1 of 2
- Unvoted Ballots Rolla Ward 1 2 of 2, Rolla Ward 2
- Unvoted Ballots Rolla Ward 3, Rolla Ward 4 1 of 2
- Unvoted Ballots Rolla Ward 4 2 of 2, Rolla 5, Rolla Ward 6
- Unvoted Ballots Rolla Outside South, Absentee 1 of 3
- Unvoted Ballots Absentee 2 of 3
- Unvoted Ballots Absentee 3 of 3
- Voted Ballots Doolittle, Jerome, Newburg, Edgar Springs, Dawson/St James, Dillon Central, Dillon North
- Voted Ballots Dillon South, Cold Springs East, Cold Springs West, Meramec/ St James, Miller/ Rolla Outside North, Rolla Ward 1, Rolla Ward 2
- Voted Ballots Rolla Ward 3, Rolla Ward 4, Rolla Ward 5, Rolla Ward 6, Rolla Outside South, Absentee.

#### DOCUMENT DESTRUCTION, Continued:

- Pre & Post Lat, Precinct book, tapes All precincts
- Precinct Roster All precincts
- Absentee Election night

#### June 2, 2020 Municipal Election

- Precinct Roster & Book All precincts
- Absentee Envelopes, Apps, Reports
- Unvoted Ballots Dillon North, Rolla Ward 4, Rolla Outside South.
- Unvoted Ballots Dawson/St James
- Unvoted Ballots Miller/Rolla Outside North, Rolla Ward 2
- Unvoted Ballots Dillon South, Rolla Ward 5, Rolla Ward 6
- Unvoted Ballots Doolittle, Newburg, Sample Ballots.
- Unvoted Ballots Edgar Springs, Rolla Ward 1
- Unvoted Ballots Cold Springs East, Cold Springs West, Meramec/St James
- Unvoted Ballots Jerome, Dillon Central, Rolla Ward 3
- Unvoted Ballots Absentee 1 of 2
- Unvoted Ballots Absentee 2 of 2
- Voted Ballots, Seal Sheets, Spoiled Ballots Cold Springs East, Cold Springs West, Meramec/St James, Miller/Rolla Outside, Rolla Ward 1, Rolla Ward 2, Rolla Ward 3.
- Voted Ballots, Seal Sheets, Spoiled Ballots Rolla Ward 4, Rolla Ward 5, Rolla Ward 6, Rolla Outside South, Absentee
- Voted Ballots, Seal Sheets, Spoiled Ballots Doolittle, Jerome, Newburg, Edgar Springs, Dawson/St James, Dillon Central, Dillon North, Dillon South.
- Test Deck 1 of 2
- Test Deck 2 of 2, Pre & Post Lat, tapes, & election night.

#### November 5th 2019 Special Election

- Sample Ballots
- Voted & Spoiled Ballots- Doolittle, Jerome, Newburg, Edgar Springs, Dawson/St James, Dillon Central, Dillon North, Dillon South, Cold Springs East, Cold Springs West, Absentee & Pre Lat
- Voted & Spoiled Ballots- Meramec/ St James, Miller E&W/ Rolla Outside North, Rolla Ward 1, Rolla Ward 2, Rolla Ward 3, Rolla Ward 4, Rolla 5, Rolla Ward 6, Rolla Outside South.
- Precinct Roster & Affidavits- All precincts
- Cut Blue Seals- All precincts
- Absentee Envelopes, Applications, Provisional
- Precinct book, tabulator tapes, seal sheets- All precincts
- Unvoted Ballots 1 of 3
- Unvoted Ballots 2 of 3
- Unvoted Ballots 3 of 3
- Unvoted Ballots Absentee

The Commission signed the document destruction records. Kojro left at 1030.

IN THE MATTER OF

MANUFACTURED HOME SALE:

Commissioner Hicks reported that two individuals had looked at

MANUFACTURED HOME SALE, Continued:

the manufactured home on Saturday, June 11, for which bids will be opened on June 16, 2022.

IN THE MATTER OF MILEAGE RATE:

The Commission was notified that on June 9, 2022 the IRS had increased the standard mileage rate for the final 6 months of 2022 for business travel to the highly remunerative amount of 62.5 cents per mile.

IN THE MATTER OF RECORDER'S FEE TURNOVER:

The Commission received and reviewed Recorder Robin Kordes' fees for the month of May, 2022; she had turned over \$19,950.77 total which included \$3,904.85 in CERF fees.

IN THE MATTER OF MISSING ROAD SIGNS:

Commissioner Auxier reported that some road signs are missing; he will notify the Road Department.

IN THE MATTER OF SUNSHINE LAW REQUEST:

The clerk reported the fourth Sunshine Law request in four weeks; this one regarding any communications from the County about any cable franchise fees which had been received from Netflix and any arrangements with Netflix made with respect to work in the County rights-of-way.

IN THE MATTER OF PERSONAL PROPERTY COURT ORDERS:

The Commission reviewed and approved Court Orders #2111 through #2114, representative of 2018 through 2021 add-on's for May, 2022.

READ AND APROVED

Randy Verkamp, Presiding Commissioner

Joe Auxier, Commissioner District 1

Now at this the 16th day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF ROAD AND BRIDGE FUEL BID OPENING:

Road and Bridge fuel bids were opened as scheduled at 0900. Bids were received from MFA and County Fuels. Local resident Ray Schweikhardt, Grant Wilson the local representative for U.S. 8th District Congressman Jason Smith; the reporter; and Greg and Jason Rowden of County Fuels were present. Bids were received from:

#### Bidder

#### Components of Bid

MFA Oil Company, Rolla

\$0.20 over cost
\$4.267/gal diesel day of bid

(5/31/2022)

\$3.748/gal gasoline 5/31/2022

County Fuels, LLC, Eminence

\$4.1948/gal on-rd diesel plus \$0.445 tax, freight, profit, Additive total \$4.6398/gal \$4.1998/gal off-rd diesel, + 0.25 freight, profit, Additive total \$4.4498/gal

Both companies would provide tanks at no charge. Greg Rowden explained their pricing structure; tanks would remain their property. The company supplies the Rolla MoDOT shed and they are in the 9th year with this being their second five-year bid; they deliver twice a week there to keep their 2,000-gallon tank(s) supplied. They also have the bid for the Edgar Springs MoDOT shed. Jason Rowden described that fuel changes price every evening at 6:00 p.m. After some discussion of their storage of fuel and regulations about storage tanks, the bids were taken under advisement as moved by Commissioner Hicks and seconded by Commissioner Auxier; then the Rowdens left. Sheriff Mike Kirn and Lt. Joe Taylor entered at 0920.

IN THE MATTER OF EMERGENCY MANAGEMENT PERFORMANCE GRANT:

As moved by Commissioner Auxier and seconded by Commissioner Hicks approved the Memorandum of Agreement.

IN THE MATTER OF SHERIFF'S DEPARTMENT FUEL BID OPENING:

Fuel bids for the Sheriff's Department were opened at 0930; they were received two companies:

SHERIFF'S DEPARTMENT FUEL BID OPENING, Continued:

Bidder

Components of Bid

MFA Oil Company, Rolla

\$0.20 over cost

\$4.267/gal diesel day of bid

(5/31/2022)

\$3.748/gal gasoline 5/31/2022

Wallis Companies, Cuba

ExxonMobil, retail purchases Rebate of \$0.05/gallon Mobile on the Run locations Additional discount \$0.06/gal Using ExxonMobil Fleet Card

As moved by Commissioner Auxier and seconded by Commissioner Hicks the bids were awarded jointly, as the PCSD uses MFA for its diesel. Kirn and Taylor left at 0940. Collector Faith Barnes entered at 0945.

IN THE MATTER OF CITIZEN INPUT (RAY SCHWEIKHARDT):

Schweikhardt provided his appraisal of the roundabout nearing completion on U.S. Hwy 63; Barnes added her thoughts.

IN THE MATTER OF SURPLUS TAX DISBURSEMENT:

The Commission reviewed briefly a recent request for surplus tax made by an heir.

IN THE MATTER OF THE MISSION:

Local resident Dale Wands entered at 1005 to ask if there were any churches known who support The Mission, in a follow-up to a comment made in a prior meeting by Commissioner Auxier. Wands said he had contacted "about 15" area churches and had only been able to identify one; though what the "support" means could entail only in-kind donations. Commissioner Hicks said his church had withdrawn its support. After further discussion about what did and did not qualify as support, Wands and Schweikhardt left at 10:12.

IN THE MATTER OF ROAD FACILITY, ENGINEERING:

Commissioner Hicks presented communication he'd received from Archer Elgin showing a more detailed itemization than previously received of the engineering services to be supplied. The sum of the various costs was above \$222,000. As moved by Commissioner Auxier and seconded by Commissioner Hicks, the proposed engineering service provision was approved.

IN THE MATTER OF ROAD 7150:

ROAD 7150, Continued:

Wilson supplied the name of a resident of this road who had some concerns with its upkeep; the individual had contacted the Congressional office.

IN THE MATTER OF BID OPENING, MANUFACTURED HOME:

The sole bid received for the Manufactured Home was received from Shawn Sisco of \$9,100.00 and as moved by Commissioner Hicks and seconded by Commissioner Auxier, was accepted. Commissioner Hicks contacted Sisco to notify him.

IN THE MATTER OF BRO APPLICATIONS:

The Commission discussed the four bridges which were named eligible for this program in the previous meeting; all the bridges were reviewed from GIS photos. They will take up the choice of the three for which BRO applications are to be submitted at a future meeting.

IN THE MATTER OF ACCOUNTS PAYABLE:

The Commissioners reviewed payment of three invoices to UMB for the RollaWest TIF Economic Activity Taxes at \$34,889.59 (representing nearly \$8,000,000 in sales for one month); also payment of 101 and 110 invoices in the amounts of \$162,101.53 and \$112,018.54, respectively.

READ AND APPROVED:

Randy Verkamp, Presiding Commissioner

Joey Auxier/ Commissioner District 1

Now at this the 21st day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF BRO PROGRAM BRIDGES:

The Bridge Replacement Off-system (BRO) program, which is a means of funding for bridges not within the state system, would fund three of the four deficient bridges in the County. The Phelps County Focus reporter, Kaitlin Brothers, was present. The bridge on County Road 2110 was felt to be highest priority; followed by that on County Road 8410 followed by County Road 3620. This would leave out the County Road 7460 bridge. Presiding Commissioner Verkamp said that staff at MRPC would be contacted to develop the applications for this funding.

IN THE MATTER OF BOARD OF EQUALIZATION:

The Commission approved the announcement of the Phelps County Board of Equalization for July 18, 2022 at 0900, as moved by Commissioner Auxier and seconded by Commissioner Hicks. Public members will be contacted and thereafter appointed if available.

IN THE MATTER OF CORONER'S SALARY:

Coroner Ernie Coverdell entered to report that the Governor may sign Senate Bill 1128, which may affect the salary of thirdclass county coroners. Whether or not this will survive any challenge, based on the mid-term raise aspect which conflicts with Mo Constitution Article VII Section 13, remains to be seen. Compared with last years' 33 overdose deaths, there are to-date 18 overdose deaths for the county. He has two child fatality review panel cases due to deaths under 17, both the result of motor vehicle accidents. Coverdell asked who was the member among the five members of the Law Enforcement Restitution Fund who reported to the Coroner; pursuant to RSMo 50.565 a coroner should have appointed one of the five. He has some equipment he would like to acquire to improve the function of the office and could use extra funds. Local resident Chester Kojro and Collector Faith Barnes entered at 0950; the reporter left after 0955.

IN THE MATTER OF SENIOR COMPANIONS:

Christine Miller entered to request the Commissioners approve the second signatory on the Senior Companions non-federal checks to be changed from Circuit Clerk Sonja Childers to Chief Clerk Marlaina Wallace; this was approved as moved by Commissioner Auxier, seconded by Commissioner Hicks.

IN THE MATTER OF SURPLUS TAX DISBURSEMENT:

SURPLUS TAX DISBURSEMENT, Continued:

The pending surplus tax request from an unknown number and identity of heirs of Charles C. Wilkinson was discussed, framed as due diligence on the part of the County. Barnes provided many answers to the multiple questions asked about the process by the Commission. Just after local resident Chester Crider entered at 1015, Barnes left. Crider visited briefly and left.

IN THE MATTER OF SHERIFF'S DEPARTMENT CREDIT CARD:

The Sheriff's Department wanted to change from the US Bank Credit card to a local bank, because of globally unsatisfactory customer service with US Bank, and the Commission felt this was acceptable and not a violation of the current depository agreement.

IN THE MATTER OF CHIP AND SEALING OF ROAD 8490:

The Commissioners approved chip and sealing of the approximate 1.25 miles of County Road 8490 which are currently aggregate road, using ARPA funds, as moved by Commissioner Auxier and seconded by Commissioner Hicks.

IN THE MATTER OF ROAD 7120:

Local resident Sam Schmid entered at 1055 and asked about the anticipated completion date for his culvert replacement. Commissioner Hicks explained that the culvert had come in but would simply have to wait until the road crew found time in between their large time-sensitive projects such as chip and seal. After further discussion and some elaborations regarding road work schedules, and having the email for the Road Department and a number for the Rolla MoDOT shed, Schmid left at 1120. Commissioner Hicks also left a voice mail message for the regional MoDOT engineer regarding the upkeep of the junction of Road 7120 and State Route CC, which Schmid said had deteriorated.

READ AND APPROVED:

Randy Verkamp, Presiding Commissioner

Joey Auxier, Commissioner District 1

Now at this the 23rd day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner Joey Auxier, Commissioner District 1 Gary W. Hicks, Commissioner District 2

Deputy Lisa Dowdy took notes in the absence of the clerk.

IN THE MATTER OF ROADS:

Presiding Commissioner Verkamp opened the meeting and discussion proceeded with Michelle Bock and Mark Case and the other Commissioners concerning various road paving, chipping, etc. matters. Also present were local resident Travis Bahr, Sheriff Mike Kirn, PCSD Lt. Joe Taylor, Collector Faith Barnes and Assessor Bill Stoltz.

IN THE MATTER OF AWARD, ROAD AND BRIDGE FUEL BID:

As moved by Commissioner Auxier and seconded by Commissioner Hicks, the fuel bid submitted by MFA Oil for the Road and Bridge Department was approved. Case will contact County Fuels, LLC of Eminence, to let them know their bid was not selected.

IN THE MATTER OF PRESSURE PAVING, BID OPENING:

The sole bid for pressure paving was opened by Commissioner Hicks and read aloud; it was for \$621,371.66 from Donelson Paving and as moved by Commissioner Hicks and seconded by Commissioner Auxier, was seconded; Case will inform the company.

IN THE MATTER OF JAIL EXPANSION FINANCING:

Taylor and the Commission discussed financing, in light of the opinion that there is no case law regarding bid requirement for private bank financing. Taylor expressed an urgency in moving on with the construction, due to increased inflationary and financing rate pressures. Currently the pre-fabricated cells can be locked in at bid price; discussion about whether there were enough funds currently to initiate work; Sheriff Kirn will be consulted. On his arrival, Presiding Commissioner Randy Verkamp told him that an RFP seemed a good course of action. The County's purchasing policy may need a clause covering RFP. Other aspects including a two-week posting period, the publications in the County being weekly, the nature of the project being construction and not remodel, locked-in rate availability with local bank lenders, all were discussed. Due to what was felt to be urgency, Commissioner Hicks moved and Commissioner Auxier seconded by award financing to First State Community Bank.

IN THE MATTER OF SURPLUS TAX DISBURSEMENT:

SURPLUS TAX DISBURSEMENT, Continued:

An impending request for surplus tax funds was discussed with Barnes.

IN THE MATTER OF COUNTY WEBSITE:

A proposal from Nick Rollins for upgrade and maintenance of the County website was reviewed and discussed.

IN THE MATTER OF INTERSTATE 44 WORK:

Tony Marzuko of MoDOT called Commissioner Hicks to discuss the construction work on I-44; 10-foot shoulders are the plan. Marzuko said the Lehman Construction, LLC of California, Missouri was using a temporary asphalt plant along the Northwye Outer Road and had difficulty negotiating a turn; temporary removal of fencing was discussed. Marzuko will reach out to Bobby Lehman with the company and ask him to come speak to the Commission.

IN THE MATTER OF ACCOUNTS PAYABLE:

Supporting documents for the payment of 1, 53 and 41 invoices in the amounts of \$9,450; \$99,964.48 and \$34,216.75 were reviewed and the payments were approved. Payment of the July Group Benefit Services premium for employee health insurance in the amount of \$122,528.02 was also approved.

IN THE MATTER OF BOARD OF EQUALIZATION:

Commissioner Auxier reported that Jeff Davis of St. James will be serving as a citizen member of the BOE in July.

IN THE MATTER OF CHILD SUPPORT IV-D REIMBURSEMENT DOCUMENTATION:

As moved by Commissioner Auxier and seconded by Commissioner Hicks, the Prosecuting Attorney's office area of 2,690 sq. ft. 4.7% of the Courthouse) and Circuit Clerk's office area of 3,916 sq. ft. (6.9% of the Courthouse) was certified by Presiding Commissioner Verkamp and signed.

IN THE MATTER OF CLOSED SESSION:

At 1100 Commissioner Hicks moved and Commissioner Auxier seconded going into closed session pursuant to RSMo 610.021 (3) - personnel matter. The pay rate of Interim Road and Bridge Supervisor Mark Case was discussed; he was promoted to Road & Bridge Superintendent with a salary of \$60,068 effective 7/1/2022. As moved by Commissioner Hicks and seconded by Commissioner Auxier, the meeting returned to open session at 1110.

IN THE MATTER OF PAYROLL:

The Commissioners approved payroll for 6/30/22 in the amount of \$221,351.75 net wages and \$76,192.71 in payroll taxes.

READ AND APPROVED:

Randy Verlamp, Presiding Commissioner

Joey Auxier, Commissioner District 1

Now at this the 28th day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

Randy Verkamp, Presiding Commissioner Joey Auxier, Commissioner District 1 Gary W. Hicks, Commissioner District 2

Deputy Peter Cook took notes in the absence of clerk.

IN THE MATTER OF CART FUNDS:

Local resident Ray Schweikhardt, Michelle Bock from the road department were present as was the Focus reporter. Treasurer Carol Green entered at 0900 to report June CART receipts which showed \$62,952.19 in gas tax, \$16,899.57 in motor vehicle taxes and \$8,911.09 for motor vehicle fees. Reporter and Green left at 0912.

IN THE MATTER OF INTERSTATE 44 WORK:

Michelle Bock discussed the temporary removal of part of the fence along Northwye for the temporary asphalt plant to make an access to I-44, Verkamp said that they need to make sure it does not mess up line of sight.

IN THE MATTER OF COUNTY CHIPPER:

Verkamp contacted MoDot about the permit for transporting the chipper on the roads. Residents Beth Pross and Chester Kojro entered at 0920

IN THE MATTER OF ROLLA MUNICIPAL UTILITIES (RMU):

Rodney Bourne and Dale Brown from RMU entered to discuss the potential allocation of state funds for water improvements for the city of Rolla. They were considering replacing the water main for the industrial park along old St James Road. They wanted to know if the county was going to level the road and if the county could consider still maintaining the roads if the city would annex the RCDC property at 11370 County Road 3060. Bourne, Brown and Schweikhardt left at 0955

IN THE MATTER OF MISSOURI SHERIFF METHAMPHETAMINE RELIEF TASKFORCE:

Commissioner Hicks moved and Commissioner Auxier seconded, to accept the grant award. Pross, Bock, and Chester left.

IN THE MATTER OF SECURITY CAMERA VIDEO DOCUMENT RETENTION:

Commissioner Hicks and Presiding Commissioner Verkamp said the procedure for retention of security camera footage is something to check with judge or bailiff.

IN THE MATTER OF CD RENEWIL:

Carol Green came in to inform the Commission that CD renewal was coming up in July.

IN THE MATTER OF PHELPS HEALTH.

Jason Shenefield Phelps Health CEO entered and gave an update on the hospital.

READ AND APPROVED:

Randy Verkamp Presiding Commissioner

Joey Auxier, Commissioner District 1

Now at this the 30th day of June the Commission met pursuant to adjournment and a quorum was present of the following members:

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

IN THE MATTER OF
RFP SOLICITATIONS,
JAIL COMMISSARY AND INMATE BANKING:

PCSD Lt. Joe Taylor, local resident Travis Bahr, Ryan Porter with Lehman Construction and the reporter were present. Taylor said that the long-time vendor for inmate banking had been Keefe; staff desired to put this service up for competitive proposals. As moved by Commissioner Auxier and seconded by Commissioner Hicks, the following solicitation was approved:

Request for Proposal

Office of the Sheriff, Phelps County, Missouri:

The Phelps County, Missouri Sheriff's Department hereby advertises for proposals for Inmate Banking & Commissary.

The County Commission will accept sealed proposals for the above until 10:00 a.m. Thursday, July 21, 2022, at which time they will be opened. Proposals are to be mailed or delivered to the Phelps County Commission, c/o Phelps County Clerk, 200 N. Main St., Suite 102, Rolla, MO 65401; the envelope must be clearly marked on the exterior, "Inmate Banking & Commissary Services RFP." Faxed or e-mailed proposals will not be accepted.

\The County Commission of Phelps County, Missouri, reserves the right to reject any or all proposals, to accept the best proposal, and to make the award in the best interest of Phelps County.

Information packets are available from Lt. Joe Taylor, Phelps County Jail Administrator, 500 W. 2<sup>nd</sup> Street, Rolla, MO 65401, or by calling 573-426-3810 or by email at: <a href="joe.taylor@phelpscountysheriff.org">joe.taylor@phelpscountysheriff.org</a>

Done by order of the Phelps County Commission Thursday, June 30, 2022

Pamela K. Grow, Phelps County Clerk

PUBLISH: Phelps County Focus - Thursday, July 7, 2022

Taylor left at 0905; Michelle Bock of the Road Department entered at 0906.

IN THE MATTER OF NORTHWYE ACCESS, I-44 WORK:

Porter said Lehman Construction is working with MoDOT on rehabilitation of I-44 through nearly all of Phelps County. Their asphalt plant is situated at 10010 County Road 2020 and they wish to construct an entrance onto Northwye Outer Road (County Road 2000). Numerous particulars including signage were discussed. Porter said his company would take everything out and restore it to original condition when work is completed in about 18 months. Commissioner Hicks warned about County Road 2020; even unloaded trucks would degrade it because it is only chip and seal. Porter inquired about use of the Cantex

NORTHWYE ACCESS, I-44 WORK, Continued:

Plant location at 2021 Industrial Park Drive in Rolla as a cement plant; Cantex owner will be contacted. Commissioner Auxier moved and Commissioner Hicks seconded granting Lehman permission to take out a section of the fencing on Northwye if it is clearly allowed by FHWA. Presiding Commissioner Verkamp complimented Porter on the nice job his company did on Rolla's 72 Extension; Porter said the city was great to work with and departed at 0920.

IN THE MATTER OF COUNTY ORDINANCES ON LOITERING, SOLICITATION, PANHANDLING AND ENCAMPMENT:

The clerk reported that an individual working on a judicial transparency project for the ACLA had made inquiry about this subject; she will be informed of the absence of such ordinances.

IN THE MATTER OF TOWER CONSTRUCTION:

A communications tower planned in the St. James Golf Course vicinity was discussed. Trileaf Environmental Architecture Engineering was completing a NEPA Review of the property, shown on their map as 17875 Highway 8, St. James. The accompanying documents had an incorrect address, that being of a formerly proposed location at 18117 Deer Run Lane, St. James.

IN THE MATTER OF ROADS:

Schuman Ridge or County Road 4110 was discussed; the northern 2 miles are "...in good shape" per Commissioner Hicks. A discussion was held with Bock over a broad array of subjects, including Bock's very helpful tabulation of rock costs over the past 10 years on many, if not all, of the aggregate roads. A lengthy discussion ensued over chip and seal versus maintenance of gravel roads. Bock will try to collate information about materials costs only, and additional costs such as personnel and equipment leases, on chip and seal versus aggregate roads over the past few years; this might permit more accurate appraisal of comparative costs. Presiding Commissioner Verkamp complimented Bock on the amount of data she pulled together.

IN THE MATTER OF CERTIFICATES OF DEPOSIT, BIDS:

Treasurer Carol Green entered at 1025 to discuss the annual bidding for CD's. With Bank of Missouri, they mature on July 8, 2022. MHHA moneys remain in the \$225,000 CD within County Revenue. Unemployment Fund might remain at \$50,000. Law Enforcement Debt Service Fund might remain at \$230,000 depending on what the Sheriff's desires are. Jay White Fund has \$200,000 in CD and that will be retained. Public Facilities Authority will be left at 500,000 and possibly only kept at a 6 month term so the funds can be used for the HVAC work underway. As moved by Commissioner Auxier and seconded by Commissioner Hicks, advertising the bids to be opened at 1000 on July 7, 2022 was

CERTIFICATES OF DEPOSIT, BIDS, Continued:

approved. The Commission discussed investing some of the ARPA funds in CD, and felt \$5,000,000 could be manageable.

IN THE MATTER OF SICK LEAVE AND DOCTOR'S EXCUSE:

Deputy Clerk for HR Cindy Ruth entered to ask if the Commission might consider lengthening the time an employee out sick is required to supply a doctor's note from 3 days to 5 days. The latest Covid recommendations are for 5-day quarantine. Ruth believes it's hard for many employees to get the doctor's note earlier; not needing one might encourage employees to selfisolate for a URI for 3 days and lessen transmission.

IN THE MATTER OF ACCOUNTS PAYABLE:

The Commission reviewed and approved payment of 28 and 39 invoices in the amounts of \$206,040.49 and \$48,654.39, respectively.

READ AND APPROVED:

Randy Verkamp, Presiding Commissioner

Joey Auxier, Commissioner District 1