

THE COUNTY COMMISSION  
OF  
STONE COUNTY, MISSOURI

May 25, 2017

STATE OF MISSOURI |  
COUNTY OF STONE |

Be it remembered that a session of the County Commission of Stone County was held in the courthouse at Galena, on May 25, 2017. Those in attendance today were Presiding Commissioner Dennis Wood, Southern Commissioner Hank Smythe and Northern Commissioner Mark Maples.

**Morning Session:**

**10:00 AM**

Presiding Commissioner Dennis Wood opened the meeting with the pledge of allegiance to the flag. The Bible Pledge was delivered by Northern Commissioner Mark Maples Grand-Daughters Brylee & Lakin, and did a fantastic job!

Those present for this meeting today are as follows: Cindy Elmore, County Clerk; County Counsel William McCullah; Denise Dickens, Commission Administrative Assistant and Tena Foster, Stone County Clerk's office.

**Approval of Commission Minutes**

The matter to approve the minutes for Stone County Commission meeting dated May 23, 2017 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes. Minutes ordered approved.

**Schedule of Bills - 1**

Presiding Commissioner Dennis Wood presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$10,793.61. This matter to accept the bills for payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Order to pay carried.

**Schedule of Bills - 2**

Presiding Commissioner Dennis Wood presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$53,724.88. This matter to accept the bills for payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood - yes. Order to pay carried.

## **Order to Appoint Stone County Developmental Disabled Board of Directors**

County Counsel William McCullah, came before the Commission with an order to appoint members of the Stone County Developmentally Disabled Board of Directors.

The matter to accept and sign the order was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Wood – yes Matter carried. Letter Signed.

## **Announcements**

Monday, May 29, 2017, the Stone County Courthouse will be closed in observance of Memorial Day Holiday.

Presiding Commissioner Dennis Wood & Southern Commissioner Hank Smythe attended the SMOG meeting in Springfield on May 24, 2017.

Today at 11:30 The County Commission will attend the Table Rock Lake Area Chamber Luncheon held at the Rock Lakeside Grill in Kimberling City.

The first official Disability Board Members meeting will be: Tuesday, June 20, 2017 at 6:00 PM in the Stone County Courthouse Commissioners Room.

The Stone County Commission will have an informational community meeting regarding the future expansion of the Law Enforcement Judicial Building. Public is welcome to attend.

Schedule of meetings are as follows:

- ~~May 11, 2017 at 6:00 PM — Stone County Courthouse Commissioners Room~~
- ~~May 18, 2017 at 6:00 PM — Blue Eye Community Center/Lions Club~~
- May 25, 2017 at 6:00 PM Kimberling City Library
- June 1, 2017 at 6:00 PM Cape Fair Community Building
- June 8, 2017 at 6:00 PM Reeds Spring High School Multi-Purpose Room
- June 15, 2017 at 6:00 PM Indian Point City Hall
- June 22, 2017 at 6:00 PM Crane-Stone County Library

## **Public Time:**

Time was extended to anyone who wanted to speak to the commission at this time.

## **Adjournment:**

The adjournment of the Stone County Commission meeting was brought to decision by roll call vote: Smythe – yes; Maples – yes; Wood – yes. Meeting adjourned at 10:26 AM.



IN THE COUNTY COMMISSION  
OF STONE COUNTY, MISSOURI

ORDER APPOINTING MEMBERS OF THE  
STONE COUNTY DEVELOPMENTAL  
DISABLED BOARD OF DIRECTORS

Whereas, Section 205.968 (*Facilities authorized—persons to be served, limitations, definitions*) provides:

1. As set forth in section 205.971, when a levy is approved by the voters, the governing body of any county or city not within a county of this state shall establish a board of directors. The board of directors shall be a legal entity empowered to establish and/or operate a sheltered workshop as defined in section 178.900, residence facilities, or related services, for the care or employment, or both, of persons with a disability. The facility may operate at one or more locations in the county or city not within a county. Once established, the board may in its own name engage in and contract for any and all types of services, actions or endeavors, not contrary to the law, necessary to the successful and efficient prosecution and continuation of the business and purposes for which it is created, and may purchase, receive, lease or otherwise acquire, own, hold, improve, use, sell, convey, exchange, transfer, and otherwise dispose of real and personal property, or any interest therein, or other assets wherever situated and may incur liability and may borrow money at rates of interest up to the market rate published by the Missouri division of finance. The board shall be taken and considered as a "political subdivision" as the term is defined in section 70.600 for the purposes of sections 70.600 to 70.755.
2. Services may only be provided for those persons defined as persons with a disability in section 178.900 and those persons defined as persons with a disability in this section whether or not employed at the facility or in the community, and for persons who are disabled due to developmental disability. Persons having substantial functional limitations due to a mental illness as defined in section 630.005 shall not be eligible for services under the provisions of sections 205.968 to 205.972 except that those persons may participate in services under the provisions of sections 205.968 to 205.972. All persons otherwise eligible for facilities or services under this section shall be eligible regardless of their age; except that, individuals employed in sheltered workshops must be at least sixteen years of age. The board may, in its discretion, impose limitations with respect to individuals to be served and services to be provided. Such limitations shall be reasonable in the light of available funds, needs of the

1

2. The administrative control and management of the facility shall rest solely with the board, and the board shall employ all necessary personnel, fix their compensation, and provide suitable quarters and equipment for the operation of the facility from funds made available for this purpose.
3. Notwithstanding any provision of law to the contrary, and irrespective of whether or not a county sheltered workshop or residence facility has been established, the board may contract to provide services relating in whole or in part to the services which the board may provide to handicapped persons as defined in this law and for such purpose may expend the tax funds or other funds.
4. The board shall elect a chairman, vice chairman, treasurer, and such other officers as it deems necessary for its membership. Before taking office, the treasurer shall furnish a surety bond, in an amount to be determined and in a form to be approved by the board, for the faithful performance of his duties and faithful accounting of all moneys that may come into his hands. The treasurer shall enter into the surety bond with a surety company authorized to do business in Missouri, and the cost of such bond shall be paid by the board of directors.
5. The board shall set rules for admission to the facility, and shall do all other things necessary to carry out the purposes of sections 205.968 to 205.972.
6. The board may contract with any not-for-profit corporation including any corporation which is incorporated for the purpose of implementing the provisions of sections 178.900 to 178.970 for any common services, or for the common use of any property of either group.
7. The board may accept any gift of property or money for the use and benefit of the facility, and the board is authorized to sell or exchange any such property which it believes would be to the benefit of the facility so long as the proceeds are used exclusively for facility purposes. The board shall have exclusive control of all gifts, property or money it may accept, of all interest or other proceeds which may accrue from the investment of such gifts or money or from the sale of such property; of all tax revenues collected by the county on behalf of the facilities or services; and of all other funds granted, appropriated, or loaned to it by the federal government, the state, or its political subdivisions so long as these resources are used solely to benefit the facility or related services except those paid for transportation purposes under the provisions of section 94.845.

3

persons and community to be served as assessed by the board, and the appropriateness and efficiency of combining services to persons with various types of disabilities.

3. For the purposes of sections 205.968 to 205.972, the term
  - (1) "Developmental disability" shall mean either or both paragraph (a) or (b) of this subsection:
    - (a) A disability which is attributable to intellectual disability, cerebral palsy, autism, epilepsy, a learning disability related to a brain dysfunction or a similar condition found by comprehensive evaluation to be closely related to such conditions, or to require habilitation similar to that required for intellectually disabled persons; and
      - a. Which originated before age eighteen; and
      - b. Which can be expected to continue indefinitely;
    - (b) A developmental disability as defined in section 630.005;
  - (2) "Person with a disability" shall mean a person who is lower-range educable or upper-range trainable intellectually disabled or a person who has a developmental disability.

Whereas, Section 205.970 (*Board of directors, appointment, qualifications, terms, officers, powers and duties—vacancies and removal from office, procedure*) provides:

1. When approved by the voters pursuant to section 205.971, the governing body of the county or city not within a county shall appoint a board of directors consisting of a total of nine members, two of whom shall be related by blood or marriage within the third degree to a handicapped person as defined in section 205.968, and four of whom shall be public members. At least seven of the board members shall be residents of the county or city not within a county where the facility is located. After September 28, 1979, all board members shall be appointed to serve for a term of three years, except that of the first board appointed after September 28, 1979, three members shall be appointed for one-year terms, three members for two-year terms and three members for three-year terms. Board members may be reappointed. The directors shall not receive compensation for their services, but may be reimbursed for their actual and necessary expenses.

2

8. Any board member may, following notice and an opportunity to be heard, be removed from office by a majority vote of the other members of the board for any of the following grounds:
  - (1) Failure to attend five consecutive meetings, without good cause;
  - (2) Conduct prejudicial to the good order and efficient operation of the facility or services; or
  - (3) Neglect of duty. The chairman of the board shall preside at such removal hearing, unless he or she is the person sought to be removed. In which case the hearing shall be presided over by another member elected by the majority vote of the other board members. All interested parties may present testimony and arguments at such hearing, and the witnesses shall be sworn by oath or affirmation before testifying. Any interested party may, at his or her own expense, record the proceedings.
9. Vacancies in the board occasioned by removals, resignations or otherwise shall be reported by the board chairman to the mayor's office of a city not within a county or the county commission or county executive officer and shall be filled in the manner as original appointments; except that, if the vacancy occurs during an unexpired term, the appointment shall be for only the unexpired portion of that term.
10. Individual board members shall not be eligible for employment by the board within twelve months of termination of service as a member of the board.
11. No person shall be employed by the board who is related within the third degree by blood or by marriage to any member of the board.

Whereas, Section 205.971 (*Tax levy, approval, use*) provides: The board of aldermen or other governing body of a city not within a county and the county commission or other governing body of the county, except for a county of the first classification having a charter form of government containing in part a city with a population of more than three hundred fifty thousand inhabitants, or a county of the first classification having a charter form of government with a population of at least nine hundred thousand inhabitants may, upon approval of a majority of the qualified voters of such city or county thereon, levy and collect a tax not to exceed four mills per dollar of assessed valuation upon all taxable property within the city or county for the purpose of establishing and maintaining the county sheltered workshop, residence, facility and/or related services. The county commission or other governing body of a county of the first classification having a charter form of government containing in whole or part a city with a population of more than three hundred fifty thousand inhabitants, or a county of the first classification having a charter form of government with a population of at least nine hundred

4

thousand inhabitants may, upon approval of a majority of the qualified voters of such county or city voting thereon, levy and collect a tax not to exceed two mills per dollar of assessed valuation upon all taxable property within such county or city for the purpose of establishing and maintaining the county or city sheltered workshop, residence, facility and/or related services. The tax so levied shall be collected along with other county taxes, or in the case of a city not within a county, with other city taxes, in the manner provided by law. All funds collected for this purpose shall be deposited in a special fund and shall be used for no other purpose. Deposits in the fund shall be expended only upon approval of the board.

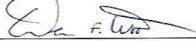
Whereas, on November 8 2016 the voters of the County approved a property tax of ten cents on each hundred dollars' valuation

Whereas, the following directors are appointed to the Board of Directors of the Stone County Developmental Disabled Board:

1. Jeremy Rouch, who is a resident of Stone County, is a public member, and is related by blood or marriage within the third degree to a handicapped person as defined in section 205.968, for a three-year term.
2. Tanya Vest, who is a resident of Stone County, is a public member, and is related by blood or marriage within the third degree to a handicapped person as defined in section 205.968, for a three-year term.
3. Ruby Gideon, who is a resident of Stone County and is a public member, for a three-year term.
4. Sean Gasper, who is a resident of Stone County and is a public member for a two-year term.
5. Mindy Smolnik, who is a resident of Stone County and is a public member for a two-year term.
6. Sue Tanner, who is a resident of Stone County and is a public member for a for a two-year term.
7. Ann Coleman, who is a resident of Stone County and is a public member for a one-year term.
8. Bob McConnell, who is a resident of Stone County and is a public member for a one-year term.
9. Kathryn Thomas, who is a resident of Stone County and is a public member for a one-year term.

Done at the Courthouse in Galena, Missouri on May 25 2017.

COUNTY COMMISSION OF  
STONE COUNTY, MISSOURI



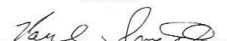
DENNIS F. WOOD

PRESIDING COMMISSIONER



MARK W. MAPLES

COMMISSIONER



HANK SMYTHE

COMMISSIONER