

THE COUNTY COMMISSION
OF
STONE COUNTY, MISSOURI
March 31, 2020

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 March 31, 2020. Those in attendance today were Presiding Commissioner Mark Maples, Southern Commissioner Hank Smythe and Northern Commissioner Wayne Blades.

Morning Session:

9:00 AM – 10:00 AM

Commission Work Session – General Discussion, with no decisions.

Virtual teleconference with all Elected Officials, Tom Martin, Emg. Mng. Pam, Chris & Todd SCHD; COVID-19 Updates for Stone County, there is now one positive case in Stone County. Discussion only.

10:05 AM

Presiding Commissioner Mark Maples opened the meeting with the pledge of allegiance to the flag. Following the pledge, Presiding Commissioner Mark Maples delivered the prayer. Those present for this meeting today are as follows: Sue Bacorn, Mo-Ark Water; County Counsel William McCullah; Denise Dickens, Commission Administrative Assistant; Cindy Elmore Stone County Clerk and Tena Foster, Stone County Clerk's office.

Approval of Commission Minutes

The matter to approve the minutes for Stone County Commission meeting dated March 26, 2020 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Blades – yes. Minutes ordered approved.

Schedule of Bills - 1

Presiding Commissioner Mark Maples presented a schedule of bills that have been submitted to him from the County Clerk's office in the amount of \$115,010.49. This matter to accept the bills for payment was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Blades - yes. Order to pay carried.

Mo-Ark Water Grant-Public Hearing on issue to approve policy and request for an extension.

Sue Bacorn Mo-Ark, came before the Commission with an extension request, form to adopt the Internal Grievance procedure section 504/ADA and sign policy regarding non-discrimination on the basis of disability.

Mrs. Bacorn also gave a brief update on the \$500,000.00, Community Development Block Grant (CDBG) for the water system improvement South of Lampe along Highway 13.

The matter to authorize signatures and accept the extension request, adopt the Internal Grievance procedure section 504/ADA and sign policy regarding non-discrimination on the basis of disability for Mo-Ark Water Company was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Blades – yes. Matter carried; Extension request, section 504/ADA and non-discrimination on the basis of disability signed.



Hank Smythe
Southern Commissioner

Mark W. Maples
Presiding Commissioner

Wayne Blades
Northern Commissioner

March 31, 2020

Amy Barnhill, CDBG Compliance Specialist
Missouri Department of Economic Development
Business and Community Solutions
P. O. Box 118
Jefferson City, MO 65102-0118

RE: Extension Request – 2016-PF-19

Dear Mrs. Barnhill:

The three year grant period date expired January 6, 2020, for this water project.

This project is currently under construction and as of March 1, 2020, the project was deemed substantially complete and was placed in service. The contractor is currently working on final cleanup of the project along with final asphalt repairs, neither of which could be completed in 2019 due to the weather and time of year.

This project had the misfortune of the engineering firm going out of business. New RFQ's were sent out and a new engineering firm hired. This new firm did not agree with some of the design plan work that had been done, so in some areas this work was redesigned.

Listed are dates of completed items:
CDBG Grant Award 01-06-2017
Hiring of new engineering firm – March 31, 2017
Obtaining Easements and Completion of Final Design: May 2017 to October 2018
Revised Construction Permit: 05-31-2018
Bid Call Date: 09-12-2018
Bid Opening: 10-04-2018
Bid Award: 11-20-2018
Pre-Construction Conference and Notice to Proceed: 12-14-2018

Contract time was 365 days – time was up 12-13-2019 but was extended by change orders to 04/15/20 to complete the final asphalt repairs, final cleanup, and initial seeding. With spring rains and COVID-19, this may have to be extended again for a short time.

108 EAST 4TH STREET • P.O. BOX 19 • GALENA, MISSOURI 65656
(417) 357-8141 • FAX (417) 357-3098
WWW.STONECO-MO.US

SECTION 504/ADA GRIEVANCE PROCEDURE

The County of Stone has adopted an internal grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by the Americans With Disabilities Act (ADA) and implementing Section 504 of the Rehabilitation Act of 1973 as amended (29 U.S.C. 794). Section 504 states, in part, that "no otherwise qualified individual with a disability... shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

1. Complaints should be addressed to the Section 504/ADA Coordinator at P.O. Box 19, Galena, MO 65656, who has been designated by the County to coordinate Section 504/ADA compliance efforts. Complaints should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
2. A complaint should be filed within 10 days after the complainant becomes aware of the alleged violation. (Processing allegations of discrimination that occurred before this grievance procedure was in place will be considered on a case-by-case basis.)
3. An investigation, as may be appropriate, will follow a filing of a complaint. The Section 504/ADA Coordinator will be in charge of the investigation. These rules contemplate informal but thorough investigations that afford all interested persons and their representatives an opportunity to submit evidence relevant to a complaint.
4. A written determination as to the validity of the complaint and a description of the resolution, if any, will be issued by the Section 504/ADA Coordinator and a copy forwarded to the complainant no later than 30 days after its filing.
5. The Section 504/ADA Coordinator will maintain the files and records of the County relating to the complaints filed.
6. The complainant can request a reconsideration of the case in instances where he/she is dissatisfied with the resolution. The request for reconsideration should be made within 10 days to the Presiding Commissioner.
7. Using the grievance procedure is not a prerequisite to the pursuit of other remedies, including the filing of a Section 504 or ADA-related complaint with the responsible Federal department or agency.
8. These rules will be construed to protect the substantive rights of interested persons, meet appropriate due process standards, and assure that the County complies with the ADA, Section 504 and all implementing regulations.

This procedure was adopted by the County of Stone on the 31 day of

March, 2020.

Mark W. Maples
Presiding Commissioner
Attest

(SEAL)

This project had a total of 16.2 miles of new water line to be installed with approximately 280 new services in some very rocky and very confining spaces due to terrain and also existing development. The project began construction in mid-January, 2018, and it became apparent very quickly that the rocky conditions and tight corridors were going to impede progress. Weather became a factor during the spring and summer months with numerous rain days and excessive rains. The average rainfall was very high for the time period, well above normal, and this was the main reason for the first time extension. There were also problems with getting large rock cutting equipment into some of the subdivision areas due to limited access along the existing private roads. Smaller equipment had to be utilized in much of the more developed areas which took much longer to cut through the rock than it would have taken with the bigger equipment. The contractor rented several new pieces of equipment to aid in cutting the rock but encountered numerous problems with service repairs from the suppliers. This caused weeks of no work due to equipment being out of service. Numerous existing water systems that were unknown during design were also discovered during construction which created additional issues with unavoidable repairs.

For these reasons along with the first engineering firm going out of business has caused the project to go beyond the three-year completion deadline.

The \$500,000 of CDBG funds were disbursed in full in April, 2019. The project is using USDA Rural Development grant funds to finish paying all remaining expenses.

Stone County, on behalf of Mo-Ark Water Company, respectfully requests an extension of the grant period to June 30, 2020. All final closeout paperwork should be submitted and approved by that date.

Thank you for your consideration.

Sincerely,

Mark W. Maples
Presiding Commissioner
Stone County

POLICY REGARDING NON-DISCRIMINATION ON THE BASIS OF DISABILITY

A resolution of Stone County, Missouri, adopting a policy of nondiscrimination on the basis of disability.

Whereas, the Congress of the United States passed the Rehabilitation Act of 1973, which under Section 504 requires that "no otherwise qualified individual with a disability shall, solely on the basis of his or her disability, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program, services, or activities receiving Federal assistance";

Whereas, Stone County has received a Community Development Block Grant from the Missouri Department of Economic Development, and is required to comply with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) in accordance with program guidelines;

Now, therefore, be it resolved by the Presiding Commissioner and the Stone County Commission Stone County, Missouri, the following:
Section 1. It is the policy of Stone County that all programs and activities shall be accessible to, and usable by, qualified persons with disabilities, in accordance with the requirements of Section 504 and the ADA.

Section 2. That Stone County Commission shall conduct a self-evaluation, with the assistance of a citizen review committee involving individuals with disabilities, of its programs, policies, procedures, and facilities to determine those areas where discrimination may occur.

Section 3. Stone County Commission shall, upon completion of the self-evaluation plan, make revisions, modifications, or other changes so as to fully comply with the letter and intent of the laws referenced under Section 1.

Section 4. Further, Stone County Commission shall, where building modifications are required, develop and implement a transition plan for the timely elimination of structural barriers, in accordance with the laws referenced under Section 1.

Citizens may contact Stone County's 504/ADA Coordinator at Stone County Courthouse, 108 E. 4th Street, P.O. Box 19, Galena, MO 65656, telephone number, 417-357-8141, for assistance, or to answer questions regarding this policy between the hours of 8:00 a.m. and 4:00 p.m., Monday through Friday.

Passed by the Stone County Commission this 31 day of March, 2020.

Stone County

By
Mark W. Maples, Presiding Commissioner

Attest
Andy Selmer
County Clerk

(SEAL)

Announcements:

11:00 The State Auditor's Office will conduct a pre-exit interview by teleconference held in the county commission room, third floor courthouse, Galena

1:00 In accordance with RSMo 160.021 (1) to conduct a closed meeting

The County Commission will meet to discuss litigation in the County Commission room third floor Courthouse, Galena

Postponed till 9:00 AM April 1, 2020

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; Blades – yes. Meeting adjourned at 10:24 AM.