

THE COUNTY COMMISSION
OF
STONE COUNTY, MISSOURI

September 8, 2020

STATE OF MISSOURI |

COUNTY OF STONE |

Be it remembered that a session of the County Commission of Stone was held in the courthouse at Galena, on September 8, 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 – Wendall McKnight, discuss PZ regulations, General Discussion, with no decisions.

10:00 AM

Presiding Commissioner Mark Maples & Amanda Parton opened the meeting with the pledge of allegiance to the flag. Those present for this meeting today are as follows: Pam Burnett, Stone County Health Department; Denise Dickens, Commission Administrative Assistant; Cindy Elmore Stone County Clerk; Amanda Parton and Tena Foster, Stone County Clerk's office.

Approval of Commission Minutes

The matter to approve the minutes for Stone County Commission meetings dated September 3, 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 \$37,174.71. 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.

Recess: 10:20 AM to Closed Meeting

CLOSED SESSION

Notice was posted more than 24 hours in advance that, under authority of Section 610.021(1) RSMo, the County Commission would hold a closed meeting concerning litigation. At 10:32 a.m., on the issue whether to conduct an executive session under the authority of §610.021(1) concerning litigation, a vote was taken. The vote was Presiding Commissioner Maples, yes; Commissioner Smythe, yes; Commissioner Blades, yes. Those attending were: Mark W. Maples, Presiding Commissioner; Hank Smythe, Commissioner; Wayne Blades, Commissioner; Cindy Elmore, County Clerk; and William McCullah, County Counselor. William McCullah, County Counselor, kept the minutes of the meeting.

The County's Forms W-2 for tax year 2008, required by the Internal Revenue Service, were timely submitted in 2009 by County Clerk Judy Berkstresser. At some later date, the IRS notified Ms. Berkstresser that the IRS had not received the forms. The Clerk's office resubmitted the forms on several occasions, and Ms. Berkstresser apparently received no further notifications from the IRS.

In 2014, Ms. Berkstresser received a notification from the IRS that the County owed \$11,471 in penalties and interest for failure to file the Forms W-2 from tax year 2008. Ms. Berkstresser retained Ben Sutherland, CPA, of Republic, Missouri for assistance. The Clerk's office and/or Mr. Sutherland submitted the Forms W-2 on several more occasions, and negotiated with the IRS to abate the penalties and interest.

On November 25 2019 the IRS sent a notice to the County Clerk that the County owes \$11,824.18 stemming from the issue concerning filing of the County's Forms W-2 for tax year 2008. The present County Clerk contacted IRS employees and then Mr. Sutherland, but Mr. Sutherland was unable to resolve the issue.

On August 24 2020 the IRS sent a notice of intent to seize the County's property, including bank accounts, unless the County pays \$10,248.35. The present County Clerk contacted Mr. Sutherland and also contacted IRS employees on several occasions. Mr. Sutherland said that he could offer no further assistance, and recommended that the County pay the amount request to resolve the issue.

The County is concerned that the IRS will seize the County's property, particularly the County's bank accounts. If the IRS does so, even if the County eventually prevails, inability to transact banking business could badly, perhaps irreparably, damage the County.

For that reason, the County Commission voted to follow Mr. Sutherland's advice, and immediately pay the IRS the sum of \$10,248.35 from the 'miscellaneous expenditures' line item of the General Revenue Fund. The vote was: Presiding Commissioner Maples, yes; Commissioner Smythe, yes; Commissioner Blades, yes. On the vote whether to

release these minutes, to the public, the vote was: Presiding Commissioner Maples, yes; Commissioner Smythe, yes; Commissioner Blades, yes.

At 10:57 a.m. the issue to adjourn and return to public session was considered. The vote was Presiding Commissioner Maples, yes; Commissioner Smythe, yes; Commissioner Blades, yes.

At 10:57 a.m. the Commission returned to public session.

[Resume regular minutes, CARES Act meeting]

Back in session 11:15 AM.

CARES Act meeting at 11:15 AM.

Those in attendance today were Presiding Commissioner Mark Maples, Southern Commissioner Hank Smythe, Northern Commissioner Wayne Blades; Sheila Thomas, TRLCC; Tom Martin, Emergency Management; Denise Dickens, Commission Administrative Assistant; Amanda Parton and Tena Foster, Stone County Clerk's office; County Counsel William McCullah; Sheila Thomas, TRLCC.

Sheila Thomas, TRLCC came before the Commission discussing the CARES Act Funding. The Commission discussed the MOU (Memorandum of Understanding), for the Stone County Health Department. It was recommended to disburse up to 15% of the CARES Act funding to the Stone County Health Department. The matter to accept the recommendation to disburse up to 15% of the CARES ACT funding to the Stone County Health Department was brought to decision by a roll call vote: Smythe –yes; Maples – yes; Blades – yes.

The CARES Act Application Committee has received several applications still under review, with six completed and reviewed by CARES Act Committee:

1) OATS Transit requested \$2799.67

Matter to accept the completed application and disburse CARES Act Funds to OATS Transit for \$2799.67 was brought to decision by a roll call vote: Smythe –no; Maples – no; Blades – no. Denied due to not being in Stone County

2) Crane Broiler Festival requested \$967.12

Matter to accept the completed application and disburse CARES Act Funds to Crane Broiler Festival for \$967.12 was brought to decision by a roll call vote: Smythe –yes; Maples – yes; Blades – yes. Approved

3) Ozark Environmental Services requested \$3029.27

Matter to accept the completed application and disburse CARES Act Funds to the Ozark Environmental Services for \$3029.27 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Blades – yes. Approved

4) Boys and Girls Club (Reed Springs) requested \$24,755.64

Matter to accept the completed application and disburse CARES Act Funds to the Boys and Girls Club (Reed Springs) request for \$24,755.64 was denied. CARES Act committee recommended \$4000.00 for backpack sprayer. Recommendation for \$4000.00 was brought to decision by a roll call vote: Smythe –yes; Maples – yes; Blades – yes. Approved

5) Galena Schools requested \$106,890.00

Matter to accept the completed application and disburse CARES Act Funds to the City of Galena Schools for \$106,890.00 was brought to decision by a roll call vote: Smythe –yes; Maples – yes; Blades – yes. Approved

6) Crane School requested \$52,818.47

Matter to accept the completed application and disburse CARES Act Funds to the Crane School for \$52,818.47 was brought to decision by a roll call vote: Smythe –yes; Maples – yes; Blades – yes. Approved

Next CARES Act meeting September 22, 2020

Announcements:

Pam Burnett gave a brief Covid-19 update.

The Commission discussed with the Stone County Health Department the MOU (Memorandum of Understanding) for the 15% CARES Act funding.

Stone County Clerk, Cindy Elmore stated that no one filed for office of surveyor and it is being removed from the November ballot.

Halloween at the Courthouse will be moved outside, instead of being held inside due to Covid-19.

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 12.10 pm.