

ADAIR COUNTY COMMISSION MINUTES
MONDAY, APRIL 29, 2019
13TH DAY APRIL REGULAR

The Adair County Commission convened at 8:30 a.m. on April 29, 2019 in the Courthouse at Kirksville. All Commissioners were present. Commissioner Thompson left at approximately 10:15 a.m. to travel to Jefferson City on behalf of the County Commissioner's Association of Missouri (CCAM).

At 11:10 a.m., the Commission met with Terra-Gen representative, Glenn Smith. Also present were representatives of KTVO Television and the Kirksville Daily Express. He was here today to obtain the Commission's approval for an amendment to the Road and Use Maintenance Agreement.

Mr. Smith began with an update of the High Prairie Wind Farm project. The one-time payment of \$75,000 ninety days prior to the start of Project Construction (the Construction Payment) would soon be arriving in the County. This will cover County costs for obligations under the Road Maintenance and Use Agreement. He discussed property tax legislation to assess wind turbines locally. This is good for the industry and host community. It seems to be favorably received and facing little opposition.

They are finalizing small contractual issues which should be resolved with the contractor by the end of next week. Then, Ameren's approval will take approximately one week. Plans are to announce the contractor on May 17, 2019. The next time Mr. Smith speaks with the Commission, the construction manager for the project should also be with him. He will be over the contractor and will serve as the site manager. He will be the County's "go to" person. Mr. Smith stated that he will also be in the area more when construction begins and will also have some site managing duties as well.

April 17, 2019 began archeological surveys with the Missouri Preservation office and May 10-17 should begin geotechnical pourings. An event dinner is planned in both Adair and Schuyler Counties for approximately 200 property owners and their spouses. Mr. Smith also brought talking points from Ameren to give to Commissioner Thompson in support of legislation for locally assessed equipment.

Today, the amendment will add 6 new locations for road crossings in Adair County. The Commission has previously reviewed the amendment to the Resolution. Presiding Commissioner Shahan moved to accept the amended Resolution as presented by Mr. Smith. Commissioner King seconded the motion. Both were in favor of the motion. It was noted that the Resolution number will now be 2018-1A due to a duplication of resolution numbers. The document was signed by Presiding Commissioner Shahan and Commissioner King as well as attested and signed by Sandra Collop, Adair County Clerk.

Mr. Smith stated that construction will begin in early fall and be completed at the end of September, 2020. Foundations and overhead lines (where trees do not need to be cleared) will begin first. Construction will then go back and pick up where restrictions were due to trees needing to be cleared.

Presiding Commissioner Shahan is looking forward to watching the progress. He informed Mr. Smith that the County is helping with a grant application to train local citizens to maintain the wind turbine equipment.

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Mr. Smith thanked the Commission for their support.

At 1:20 p.m., the Commission met with Judge Redington, Associate Judge of the 2nd Circuit serving Knox County. Judge Redington stated that placing offenders on court supervision has not worked due to “no” teeth being in the program. He is wanting to implement a modest drug testing program put in place. However, he will need a place for testing. Options were given to the Judge and he will discuss the situation with Associate Judge Swaim in order to not disrupt her Courtroom.

Judge Redington states that testing looks back in time and can indicate if someone is under the influence. He will be working with the Sheriff to give a one days’ notice for testing. He plans on testing people up to ten times per month to be completed early in the morning for people on probation. Four to five people at a time will be tested. If the individual is not found, then probation would be revoked and they may possibly be subject to arrest.

Judge Redington thanked the Commission for their time and will be getting back in touch with them.

At 2:30 p.m., the Commission met with University of Missouri Extension Field Specialist in Horticulture, Jennifer Schutter. The Commission asked Mrs. Schutter for her help with improving the outside yard of the Courthouse. A tour of the outside grounds of the Courthouse was completed. Mrs. Schutter will assist with a plan to update the landscaping and address improving the condition of the grass. Plans to begin work will be in a few weeks.

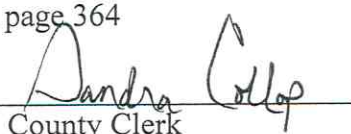
At 4:25 p.m., the Adair County Commission arrived at Kirksville City Hall to attend a meeting with representatives from the City of Kirksville. At 4:30 p.m., City of Kirksville Mayor, Zac Burden, called the meeting to order to discuss items of mutual interest between the City of Kirksville and the Adair County Commission. Other attendees included City of Kirksville Manager, Mari Macomber; City Council members, Phillip Biston and Chuck Long; City Fire Chief, Jim Hughes; Adair County Presiding Commissioner, Mark Shahan; 1st District County Commissioner, Bill King; Adair County Sheriff, Robert Hardwick; Adair County Circuit Clerk, Linda Decker; Adair County Clerk, Sandy Collop; former County Special Road District Supervisor, Junior Fountain; employees of the City of Kirksville; members of the community; and representatives from the local media.

Mayor Burden asked Commissioner Shahan to share updates of items of interest from the County. He stated the County will participate in the effort to spread the word regarding the upcoming 2020 Census; the County Commission will be touring the construction area of Ameren’s transmission line next Tuesday, May 7, 2019; and they continue to meet with Terra-Gen representative, Glenn Smith, for updates on the progress of the project to begin construction of wind towers in northern Adair County and southern Schuyler County.

Mayor Burden shared updates from the City of Kirksville. There will be an open meeting held at the Adair County Annex on May 2, 2019 from 4 -6 p.m. The Missouri Department of Transportation (MoDOT) will discuss improvements to Business Hwy 63 within the city limits from Walgreens to Domino’s Pizza; the City will soon be seeking qualified bids to begin construction on the aquatic center which is scheduled to re-open May 31, 2020; City Officials attended the planting of a Liberty tree in rotary Park. The tree is a graft from the last original Liberty Tree destroyed by Hurricane Floyd in 1999. Twenty five other Missouri communities also received a tree. It was planted last Friday on Arbor Day.

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Commissioner Shahan began the discussion with the Hazel Creek Lake agreement. He introduced Mr. Fountain, Supervisor of the Special Road District at the time the Hazel Creek reservoir was built. He explained that the roads in the agreement that are in question were never accepted by the County Court (County Commission) at the time they were completed. Commissioner Shahan presented documentation from 1981 and 1983 indicating that the County would not be responsible for any failure of the roads including culverts due to the manner in which the reservoir had been constructed.

Mrs. Macomber said she had not seen this documentation. However, the City had a copy of a letter that had been sent to the Special Road District. It indicated the County would accept the roads if they did not inform the City otherwise. According to the City, they were never informed. The County Commission said they were not aware of any such letter. The City was asked to provide a copy to the County Clerk. Mayor Burden said they would look into the situation and a decision could be made at a later date.

Spencer Lane was Commissioner Shahan's second topic. Spencer Lane is a County road. A portion of the road was built inside the City limits due to the construction of the Highway 63 bypass. He felt the road should be maintained by the City. Mrs. Macomber said the road serves County residents. Commissioner King stated there also was an agreement signed by a former Presiding Commissioner and MoDOT that the County would maintain the road. Commissioner Shahan will look into the situation.

The third topic pertained to the parking lot on the north side of the Courthouse. The decorator raised bricks within the sidewalk around the Courthouse had been replaced, but the raised bricks within the parking lot had not. Mayor Burden said the City was not responsible for the parking lot so they were not obligated to replace the raised bricks. Commissioner King noted that the bricks were installed with Tax Increment Finance (TIF) money and the County had paid in several thousand dollars over the years into TIF. Other brick replacement had been financed with TIF money, therefore, TIF money should be used to replace the bricks. The City said just because they were installed with TIF money didn't mean they needed to be replaced using TIF money. It would be the decision of the TIF Commission. Mrs. Macomber said it would be something they could look at.

Commissioner Shahan said they were trying to make the Courthouse look more attractive. They were partnering with the Missouri Extension Council to put a strategic plan together. This would involve yard work and beautification of the grounds with flowers. Mayor Burden said the Courthouse was a gorgeous asset to the Community and he would be glad to write a letter of support if needed for grant applications. Mrs. Macomber said we had to take care of what they have and TIF money was spent to make those improvements.

Mrs. Macomber would like to have the use of the parking lot on the north side of the Courthouse back. Mayor Burden said it would be easier for the public if there was only one place to make reservations for the parking lot. Mrs. Decker stated that in the past, she felt there was a lack of communication between the City and the County. Everyone needed to know when the parking lot would be open so employees would know where to park. Mayor Burden thought all parties needed enhanced communication and an agreement would need to be in writing. Commissioner King said the prior agreement's use was strictly for a parking lot, not for events. Mayor Burden emphasized a need for rules and Mrs. Macomber wanted to open this topic up for discussion with the City council.

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The fourth topic from Commissioner Shahan was funding for the Municipal Court. He knew that Mrs. Decker had been meeting with people from the City and would receive \$3.00 from the City for each case. He wanted to know if the County needed to have something in writing. Mrs. Macomber said a letter would be coming in the near future from the City Clerk. It would have everything spelled out in the letter including pay for Mrs. Decker, Judge Swaim and all employees who needed to attend training. They would also provide \$650.00 per year to go toward office supplies. The Sheriff will also be carbon copied on the letter because it will contain information for his office as well. The City Council has passed an ordinance pertaining to this information.

Mrs. Decker received a "weighted work load" document from the State of Missouri indicating that Adair County is one clerk short before taking on the work load of the Municipal Court. The State has recognized the workload of the Circuit Clerk's Office, but they are not funding additional employees. Their finances are stretched. Conversations with Representatives and Senators were encouraged for additional funding. Mrs. Decker noted more wear and tear on the County's equipment, more people utilizing the building, and the State does not provide overtime pay for employees. She will do the best she can with the staff she has, but wanted the City to know that Municipal cases would not be a priority in her office. The City stated that Municipal Court was still important to the citizens. Mayor Burden said he would be glad to write a letter to our Representatives and Senators asking for additional funding for the Circuit Court system.

Sheriff Hardwick had questions pertaining to a Bailiff, how bond checks were to be handled and the notification process to get offenders to court. Commissioner Shahan thought we needed to discuss this more and everyone had a lot of homework to do.

Mayor Burden then discussed the County's Extradition Agreement with the City of Kirksville. He wanted the updated agreement to be signed by the County Commission before it was brought to a vote by the City Council on May 20, 2019. Commissioner Shahan stated they were okay with the agreement for 2019 in the amount of \$10,500. Commissioner King said there was a problem, however, with the previous year's billing also being changed to \$10,500. The County had received a bill on more than one occasion for \$6,500 in 2018 and that amount was paid by the County. The new agreement makes the cost of \$10,500 retroactive back to include 2018. Chief Hughes said he had spoken with the Commission early on and put them on notice. It did, however, take a considerable length of time to get the agreement signed by all parties. Mrs. Macomber stated that their expectation was that it would go into effect in 2018. Mrs. Macomber wanted the agreement signed before it was placed before the City Council.

Business licensing was the next topic. Lacy King, City Finance Director, said there had been questions from the County Clerk's Office as to what services actually constituted a business license. She stated that licenses were required for retail establishments only. She asked the County to inform her if a business opened within the County as it was hard for them to keep track of businesses outside of the city limits. Mrs. Collop thanked Mrs. King for the clarification.

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Economic incentives were then addressed. Mrs. Macomber felt the 2016 agreement with the County Collector needed to be corrected as an error had occurred on the amount of 2016 taxes given to the City. She has met with the Assessor and the Collector, and feels things have been resolved with payments in lieu of taxes (PILOTS) regarding Kraft Heinz, however, a lawsuit is supposedly still pending with Weaver Development and needs to be resolved. Mrs. Macomber also wants clarification from the County Collector as to how State taxes are collected for Railroad and Utilities.

Mrs. Macomber thought both entities need to communicate better in regards to economic development and to how economic incentives work. Maybe a speaker from the City could address this topic at one of the County Elected Official's monthly meetings. Also, the Collector's contract for collection with the City needs to be updated and included in the Collector's Agreement.

Commissioner King mentioned there needed to be a conversation regarding weight limits for County trucks on Patterson Street.

Mayor Burden thanked everyone for coming and hoped this would be the first of many meetings to come. The meeting was adjourned.

Bullhead Trail was then being discussed so Mayor Burden called the meeting to order once again. Discussion pertained to Bullhead Trail and access to Hazel Creek. Glen Balliew, Public Works Director, said the road needed to be kept open so they could access the city's water plant. Commissioner King reminded everyone there was still a lawsuit pending on Bullhead Trail.

Mayor Burden adjourned the meeting at approximately 5:35 p.m.

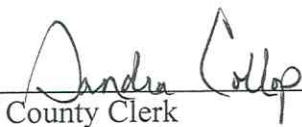
The Adair County Commission adjourned at 5:35 p.m. on Monday, April 29, 2019.

Unscheduled Public Walk-Ins and other Non-Agenda Items for Monday, April 29, 2019:

Greg L. Hurf – Rock /?/ Mascot

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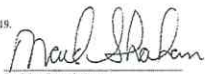


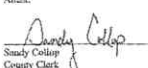

County Clerk


Presiding Commissioner

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IN REF. ORDER NO 12 Amendment to Order No. 2018-1 (Order Number changed to 2018-1A)

<p style="text-align: right;">Order No. 2018-1A</p> <p style="text-align: center;">RESOLUTION</p> <p>AMENDMENT TO ORDER NO. 2018-1 ADOPTED BY THE COUNTY COMMISSION ON APRIL 23, 2018 AND TO THE AMENDED ORDER 2018-1 ADOPTED BY THE COUNTY COMMISSION ON OCTOBER 29, 2018 GRANTING TO TQ HIGH PRAIRIE, LLC, ITS SUCCESSORS AND ASSIGNS, AN ASSENT TO USE THE PUBLIC ROADS OR HIGHWAYS OF ADAIR COUNTY, MISSOURI, FOR THE PURPOSE OF ERECTING, SUSPENDING AND MAINTAINING 345KV TRANSMISSION WIRES (GEN TIE) AND RELATED FACILITIES, AND 34.5KV ELECTRIC CABLES (COLLECTION SYSTEM) AND RELATED FACILITIES THROUGH, ON, UNDER, OR ACROSS SAID PUBLIC ROADS OR HIGHWAYS PURSUANT TO SECTION 229.100 OF THE REVISED STATUTES OF MISSOURI.</p> <p>WHEREAS, ADAIR County (the "County") is a third-class county and political subdivision duly organized and validly existing under the Constitution and laws of the State of Missouri; and</p> <p>WHEREAS, TQ High Prairie, LLC is duly authorized to conduct business in Missouri and to engage in the development, construction and operation of the proposed wind energy generation facilities, and related equipment known as the High Prairie Wind Project and related facilities and equipment; and</p> <p>WHEREAS, TQ High Prairie, LLC intends to construct the High Prairie Wind Project which is a utility scale wind energy generation facility and related equipment, including an underground 34.5 kV collection system of electric conductors, and including a 345 kV Gen Tie to interconnect the wind farm with AT&M's Mark Twain 345kV; and</p> <p>WHEREAS, TQ High Prairie, LLC plans to utilize the public roads and highways of the County as construction and haul routes as set out in Letter of Assurance to Adair County Commission, attached as Exhibit B to the original Order No. 2018-1 adopted by the County Commission on April 23, 2018 and incorporated herein by reference; and</p> <p>WHEREAS, TQ High Prairie, LLC intends to suspend wires over and bury electric conductors under the public roads and highways in the manner and locations shown in Exhibit A to the amended Order No. 2018-1 adopted by the County Commission on October 29, 2018, but also in the additional locations attached as Exhibit A to this Order and incorporated herein by reference; and</p> <p>WHEREAS, TQ High Prairie, LLC intends to suspend wires over and bury electric conductors under the public roads and highways in the same manner and locations shown in Exhibit A to the amended Order No. 2018-1 adopted by the County Commission on October 29, 2018, but also in the additional locations attached as Exhibit A to this Order and incorporated herein by reference; and</p> <p>WHEREAS, the County acting by and through its County Commission, desires to amend the original grant to TQ High Prairie, LLC, as previously amended, of its assent pursuant to section 229.100 of the Revised Statutes of Missouri to suspend or bury and maintain its electric conductors and related facilities over or under the public roads or highways of the County.</p> <p>NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF ADAIR COUNTY, MISSOURI, AS FOLLOWS:</p>	<p>Section 1. The original Order No. 2018-1 adopted by the County Commission on April 23, 2018 and incorporated herein by reference, as amended by the Amendment to Order No. 2018-1 adopted by the County Commission on October 29, 2018 and incorporated herein by reference is hereby amended to grant to TQ High Prairie, LLC, its successors and assigns, an amended assent of Adair County, Missouri, pursuant to section 229.100 of the Revised Statutes of Missouri for the use of the public roads or highways of Adair County, Missouri for the suspension and burial and maintenance of the electric conductors and related facilities through, on, under, over and across said public roads or highways, as shown in the new Exhibit A attached hereto and made a part hereof as an addition to the original grant, as previously amended, in furtherance of TQ High Prairie's High Prairie Wind Project and for such time as the High Prairie Wind Project is in existence. Notwithstanding the foregoing, the assent granted herein shall not be invalidated by the subsequent repeal of section 229.100 of the Revised Statutes of Missouri.</p> <p>Section 2. TQ High Prairie, LLC, pursuant to the terms and conditions set out in Exhibit B attached to the original Order, will hold the County and the County Commission harmless from all expenses or liability to the extent caused by any negligent act or omissions of TQ High Prairie, LLC, and its contractors and agents hereunder.</p> <p>Section 3. This amendment Order to the original Order No. 2018-1 adopted by the County Commission on April 23, 2018 and the amended Order No. 2018-1 adopted by the County Commission on October 29, 2018, both incorporated herein by reference, shall be in force and effect from and after its passage.</p> <p>PASSED AND APPROVED, this 29th day of April, 2019.</p> <div style="text-align: right;"> Presiding Commissioner</div> <div style="text-align: right;"> District 1 Commissioner</div> <div style="text-align: right;"> District 2 Commissioner</div> <p>Attest:</p> <div style="text-align: center;"> Sandra Collop County Clerk</div>
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ATTEST: 
County Clerk


Presiding Commissioner


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IN REF. ORDER NO 13 Exhibit A – High Prairie Wind Project County Road Crossing Report
and Plan (April 29, 2019)

EXHIBIT A



High Prairie Wind Project
Additional County Road Crossing Locations
For
Adair County, Missouri
April 29, 2019

Adair County

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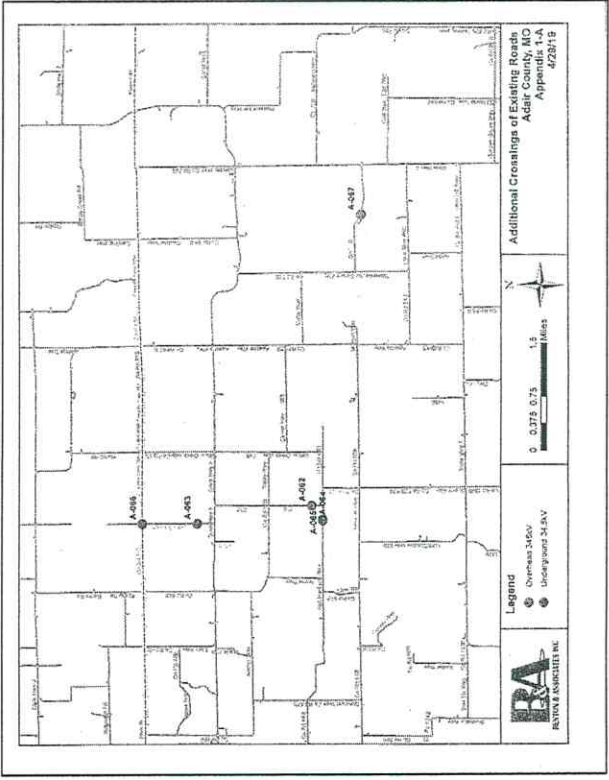
1. Table 1 -- Additional Crossing Locations

Appendices

1. Appendix 1-A -- Map of Additional Crossing Locations

Table 1

Crossing Number	Latitude	Longitude	Road Name	State or County Road	Crossing Cable
A-062	40.313053	-92.493333	Atlantic Way/508	County	Overhead 345kV
A-063	40.334106	-92.498056	Crow Horn Ln	County	Overhead 345kV
A-064	40.308811	-92.496944	Fort Madison Way / Co Rd 438	County	Underground 34.5kV
A-065	40.308806	-92.497222	Fort Madison Way / Co Rd 438	County	Underground 34.5kV
A-066	40.345172	-92.496056	County Line Way / Co Rd 578	County	Overhead 345kV
A-067	40.301164	-92.416389	Hornet Way / Co Rd 738	County	Underground 34.5kV



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ATTEST: *Sandra Collop*
County Clerk

Mark Palmer
Presiding Commissioner

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IN REF. ORDER NO 14 Certificate of Training for Adair County Collector, Sonja Harden



ATTEST:

Sandra Collop
County Clerk

Mark Hall

Presiding Commissioner