

**ADAIR COUNTY COMMISSION MINUTES**  
**WEDNESDAY, DECEMBER 20, 2017**  
**22ND DAY OCTOBER ADJOURNED**

The Adair County Commission convened at 8:30 a.m. on December 20, 2017 in the Courthouse at Kirksville. All Commissioners were present.

At 9:15 a.m., the Commissioner reviewed the legal services contract with Lowenbaum Law. Those present were Adair County Presiding Commissioner, Stanley Pickens; Adair County 1<sup>st</sup> District Commissioner, William King, and Adair County 2<sup>nd</sup> District Commissioner, Mark Thompson.

Presiding Commissioner Pickens completed signing client acceptance forms to bind coverage for property and liability insurance coverages for 2018. The forms were presented to the Commission on December 18, 2017 by James Vernon and Amy Vernon DiBlasi of the Daniel and Henry Company.

Commissioner Thompson moved to accept Ivan Schraeder's services with Lowenbaum Law for 2018. Presiding Commissioner Pickens seconded the motion. Commissioner Thompson voted in favor of the motion; Commissioner King voted "no" to the motion; and Presiding Commissioner Pickens voted in favor of the motion. Motion passed.

At 9:30 a.m., the Commission met with Mark Krueger and Andy Grimm, representatives of Kirksville Regional Economic Development, Inc., (K-REDI). Mr. Krueger and Mr. Grimm asked the Commission if they would be willing to increase the County's funding to K-REDI.

They stated that Carolyn Chrisman, the director of K-REDI, has worked hard to bring industry into the area. The Kraft/Heinz project was mentioned as well as potential wind farms that could bring technicians into the area and a lot of construction dollars. The wind farm project includes 5 – 15 turbines built within Adair County with tax revenues of \$6,400 per wind turbine. Commissioner King, however, reminded everyone that two thirds of the tax revenues would belong to Schuyler County.

An increase to K-REDI funding would help with work force development that is becoming an issue for our area. The tech center wants to participate in trying to define training for the work force; K-REDI will retain and develop industries and businesses.

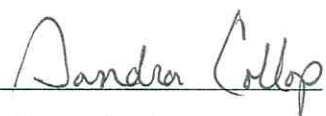
Mr. Krueger and Mr. Grimm stated that surrounding counties funded their economic development programs substantially more than Adair County. They cited \$15,000 in Marion County, \$40,000 in Nodaway County, \$55,000 in Johnson County, and \$16,000 in Macon County.

They stated that Mrs. Chrisman worked really hard for the parking lot at Kraft/Heinz. K-REDI has purchased land and have it ready as they are looking for industries to support Kraft/Heinz. Most 2018 expenses will be for advertising and Mrs. Chrisman does a lot of traveling promoting the area. People are looking at this area.

Commissioner Thompson then expressed that he was appalled with Mrs. Chrisman's behavior especially concerning the parking lot for Kraft/Heinz. She went behind our backs to other elected officials and that was not acceptable. Mr. Krueger was not aware of the situation and had never heard a complaint regarding Mrs. Chrisman. He hoped that could be "water under the bridge". He was encouraged by the group at the table and wants to make the community bigger and better.

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ATTEST:

  
County Clerk

  
Presiding Commissioner



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Mr. Krueger suggested gradually increasing county funding over a period of time. Commissioner Thompson stated that Mrs. Chrisman was here a few years ago with the same request. The County was unable to do it then; we all have to live within our budget.

Mr. Krueger said that anything would be appreciated. K-REDI's projects will take more money in 2018 and education in the workforce is a priority. They want the schools to change their curriculum and thinks schools should be more conducive to the area. For example, there could possibly be 20 technician positions created as a result of the wind turbines with annual salaries ranging from \$60,000 - \$90,000. A representative from the wind project said they would provide a curriculum to the schools to train people for these positions. He suggested the county challenge the wind project to match funds the County will spend.

Commissioner Thompson said there were many things to consider. Mr. Kruger and Mr. Grimm told the Commission they appreciated their time.

Commissioner King and Mari Macomber, City Manager of Kirksville, had scheduled a meeting for 2:00 p.m. to discuss the Kraft/Heinz agreement. Per an e-mail to the County, however, Mrs. Macomber did not believe a meeting was needed at this time. Her e-mail stated that the company (Kraft) is to provide the list of improvements to the Assessor and should use this information to determine the assessment. The company will receive a tax bill for 50% of the improvements based on the tax levy of each taxing jurisdiction. The City will invoice the Company and then distribute the PILOT (payment in lieu of taxes) payments to each taxing district.

The City did not realize until today that the City could either invoice Kraft for the PILOTs or contract with the County Collector. They did not contract with the Collector's office so the City will prepare the invoice.

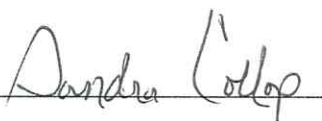
Due to the 2:00 p.m. meeting being cancelled, the Commission along with Adair County Prosecuting Attorney, Matt Wilson; Adair County Clerk, Sandra Collop; and Tammy Miller, Deputy Clerk, discussed the Law Enforcement Services Fund – Fund 301.


Commissioner King had asked the Prosecuting Attorney's opinion of expenses that could be deducted from the fund. This was due to a request by Mrs. Collop, as budget officer, to expend money from Fund 301 for auto extrication and E-911 services. Mrs. Collop felt this would be in line with what the fund had been originally intended to be used for. The request also included an expenditure for vicious animals as requested by Commissioner Thompson.

Commissioner King did not agree with Mrs. Collop. His understanding was that 100% of money used in the Fund 301 had to be used for law enforcement use only. Mr. Wilson agreed with Commissioner King regarding auto extrication and E-911 services. As a result, Mrs. Collop wanted to explain her reasoning for the request.

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Mrs. Collop stated that Fund 301 was created to fund expenses related to Law Enforcement. It was never intended to be used solely to fund the Sheriff's Department, but merely to assist the Sheriff's Department with expenses. Mrs. Collop stated that for many years 100% of the revenues in Fund 301 had been transferred to the Sheriff's Department for their use. Over the years, autopsies and the Prosecuting Attorney's office expenses were paid from Fund 301 by expending reserves.

Mrs. Collop explained that the original ballot language used in 2008, when the ¼% sales tax was passed by the voters, used the term "Law Enforcement Services." First District Commissioner, Gene Schneider who was in office at the time, contacted the Attorney General's office of the State of Missouri. He asked if the ballot was passed using the wording "Law Enforcement Services" could the revenues be used for expenses such as E-911 services and expenses of the Prosecutor's office.

The Attorney General's opinion concluded that both would be an eligible expense for the fund. As a result, the Commission used the term "Law Enforcement Services" for the ballot language. Mrs. Collop provided documentation of the e-mail by Commissioner Schneider and the response from the Attorney General's office. There was also a long list of additional expenses that the Commission intended for payment from the fund.

Commissioner Thompson stated that approximately one year ago, he had a conversation with former Commissioner Schneider on this very topic. Mr. Schneider said he would be willing to sign an affidavit attesting to the above information.

Commissioner King stated that was not the way information was presented to the public when campaigning for the ¼% sales tax. It was to solely fund the Sheriff's Department and literature was distributed by the Sheriff's Department using that as a basis for continuation of the sales tax. It was noted, however, that the literature was created by the Sheriff's Department, not the Commission. Commissioner King, who was employed at the Sheriff's Department during this time, stated he would not have voted for the tax if he had known it wasn't to be used solely for the Sheriff's Department.


Mrs. Collop stated that everyone in the room was not in office at the time this occurred except for herself. She wanted everyone to be aware of the discussions and documentation of that time. Mr. Wilson did not agree with using Fund 301 for auto extrication, but thought that a large percentage of E-911 expenses could be paid using the fund.

Mr. Wilson said it would be up to the Commission to determine the expenses as well as percentages of expenses that the fund would be used for. No matter what was decided, the expense needed to support law enforcement. Another alternative, would be to redo the ballot language for clarification. That would bring the issue to another vote of the people.

The Adair County Commission adjourned at 4:00 p.m. on December 20, 2017.

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Presiding Commissioner



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The Adair County Courthouse will be closed on Monday, December 25, 2017, in observance of Christmas Day. The Adair County Commission will reconvene at 8:30 a.m. on December 26, 2017.

Unscheduled Public Walk-Ins and other Non-Agenda Items for Wednesday, December 20, 2017:

None.

IN REF. ORDER NO 19 Client Acceptance Forms to bind 2018 insurance coverage for Adair County

Adair County Commission

Client Acceptance Form

Client Acceptance

Adair County Commission  
Presented by:  
James Vernon  
Amy Vernon Dibiasi

In order to make your coverage effective 1/1/2018, the following is required:

1) Signed Acceptance Form  
2) Signed MCS Cyber Application  
3) Signed Healthcare Professional Application  
4) Signed Uninsured/Underinsured Selection/Rejection Form. If the signed forms are not received at time of binding, the policy will be issued with UM/UIM limit equal to the auto liability limit. When the signed forms are received, the policy will be endorsed to amend the limit, if necessary, effective the date the signed forms are received.

I have reviewed the Insurance Proposal and have had opportunity to have my questions answered. I understand that all coverages are subject to the terms and conditions as defined in the Insurance Policy, and that this proposal in no way changes or interprets insurance policy terms and conditions.

Acceptance

I accept the proposal with the following changes:

Owner or Officer: ☒ Signature: Stanley Pickens  
Name: STANLEY PICKENS  
Date: 12-20-17

Changes:

Privacy Notice:

The Daniel & Henry Co. respects your privacy and asks that you respect ours. Under no circumstances will your private business and financial information be shared with any company other than Insurance Carriers for the purpose of issuing quotes for your renewal. This proposal and the material contained herein is the private information of United Agencies. We ask that you do not share this information with anyone else.

THE DANIEL AND HENRY CO.

INSURANCE AND RISK MANAGEMENT

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TRAVELERS

SUPPLEMENTARY COMMERCIAL AUTOMOBILE APPLICATION

MISSOURI

Adair County

100 W. COMMERCIAL, KIRKLAND, MO 64501

61655

UNINSURED MOTORISTS COVERAGE

Uninsured Motorists Coverage provides protection against damages for bodily injury which an insured is legally entitled to recover from the owner or driver of a motor vehicle for which there is no bodily injury liability insurance providing at least the limits required by applicable law, or for which the insurer denies coverage or is or becomes involved, or to a hit and run vehicle. Refer to your policy for the prevailing coverage provisions.

Your automobile liability or motor vehicle liability policy shall automatically include Uninsured Motorists Coverage or limits equal to the Bodily Injury Liability policy limit, select you select lower limits, or reject the coverage if you are an employee with a limit of five or more passenger vehicles registered in the State of Missouri that may reject coverage.

My selection is indicated below:

☐ I wish to select the Minimum Financial Responsibility limits of \$25,000 each person/\$50,000 each accident, or \$50,000 each accident. The Uninsured Motorists Coverage limits will be either split (each person/each accident) or a combined single limit (CSL), consistent with the Bodily Injury Liability limits on your policy.

☒ I wish to select other limits greater than the Minimum Financial Responsibility Limits, but less than the Bodily Injury Liability policy limits. (Specify limits)  
☒ \$ 100,000 each accident (CSL);  
☐ \$ 250,000 each accident (CSL);  
☐ \$ 300,000 each accident (CSL);  
☐ \$ 350,000 each accident (CSL);  
☐ \$ 500,000 each accident (CSL);  
☐ \$ 750,000 each accident (CSL);  
☐ \$ 1,000,000 each accident (CSL);  
☐ \$ \_\_\_\_\_

☐ I wish to reject Uninsured Motorists Coverage.

U: MO 10 02 08

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ATTEST: Dandra Collop Stanley Pickens  
County Clerk Presiding Commissioner

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UNDERINSURED MOTORISTS COVERAGE

Underinsured Motorists Coverage provides protection against damages for bodily injury which an insured is legally entitled to recover from the owner or operator of a motor vehicle that has insurance providing at least the minimum liability limits required by Missouri law, but the available liability limits are less than your policy's Underinsured Motorists Coverage limits.

Underinsured Motorists Coverage is optional in Missouri, and the absence of a premium payment for this coverage is conclusive proof that you have rejected this coverage. Your automobile liability or motor vehicle liability policy WILL NOT include Underinsured Motorists Coverage unless you elect to purchase it.

☐ I wish to select Underinsured Motorists Coverage at the minimum limits of \$25,000 per person/\$50,000 per accident, or \$50,000 per accident combined single limit. The Underinsured Motorists Coverage limits will be either split (each person/each accident) or a combined single limit (CSL), consistent with the Bodily Injury Liability limits on your policy.

☐ I wish to select Underinsured Motorists Coverage limits equal to my policy's Bodily Injury Liability policy limits.

☒ I wish to select other limits greater than the minimum limits, but less than my policy's Bodily Injury Liability policy limits. (Specify limits)

☒ \$ 100,000 each accident (CSL);

☐ \$ 250,000 each accident (CSL)

☐ \$ 300,000 each accident (CSL)

☐ \$ 350,000 each accident (CSL)

☐ \$ 500,000 each accident (CSL)

☐ \$ 750,000 each accident (CSL)

☐ \$ 1,000,000 each accident (CSL)

☐ \$

I understand that the coverage selection or rejection indicated above shall apply to the policy or policies in effect at the time this form is executed and all future renewal policies until I notify the Company IN WRITING of any changes.

My signature below, and/or payment of any premium, evidences my actual knowledge and understanding of the availability of these benefits and limits as well as the benefits and limits I have selected.

SIGNATURE OF NAMED INSURED

DATE

*Stanley Pickens*

12/20/17

UI MO 10 02 08

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CLAIM EXPENSES WITHIN LIMITS OF LIABILITY DISCLOSURE  
NOTICE

BCSI-X008 (01/15)

CERTAIN COVERAGES OFFERED UNDER THIS POLICY ARE LIMITED TO LIABILITY FOR CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND NOTIFIED TO US DURING THE POLICY PERIOD AS REQUIRED. CLAIM EXPENSES SHALL REDUCE THE APPLICABLE LIMITS OF LIABILITY AND ARE SUBJECT TO THE APPLICABLE RETENTIONS.

I ACKNOWLEDGE THAT I HAVE BEEN NOTIFIED THAT UNDER THIS POLICY, CLAIM EXPENSES SHALL BE PART OF AND NOT IN ADDITION TO THE APPLICABLE LIMITS OF LIABILITY STATED IN THE DECLARATIONS AND, BY SIGNING THIS FORM, I DO CONSENT TO THIS POLICY PROVISION.

*Stanley Pickens*

Named Insured

*Presiding Comm.*

Title

12-20-2017

Date

Condition R75-Q-042507EM1 | Page 2 of 2

Powered by LLOYDS

BCS INSURANCE COMPANY  
2 Mid America Plaza, Suite 200  
Oakbrook Terrace, IL 60181

CYBER LIABILITY AND PRIVACY COVERAGE  
RENEWAL APPLICATION

94.003 (08/15)

CERTAIN COVERAGES OFFERED ARE LIMITED TO LIABILITY FOR CLAIMS THAT ARE FIRST MADE AGAINST THE INSURED AND NOTIFIED TO US DURING THE POLICY PERIOD AS REQUIRED. CLAIM EXPENSES SHALL REDUCE THE APPLICABLE LIMITS OF LIABILITY AND ARE SUBJECT TO THE APPLICABLE RETENTIONS. PLEASE READ THE POLICY CAREFULLY.

You, Your Company, and Applicant mean all corporations, organizations or other entities, including subsidiaries, proposed for the Insurance.

I. GENERAL INFORMATION

Name of Applicant

Mailing Address

City

State

ZIP Code

Description of Applicant's Operations

Adair County Commission

108 W Washington St Rm 1

Kennett

Missouri

63801-2889

Government

II. REVENUES

Indicate the following as it relates to the Applicant's fiscal year end (FYE):

Total revenue

Most Recent FYE

\$2,789,173

Prior FYE

\$2,920,000

\*With respect to the information required to be disclosed in response to the questions above, the proposed Insurance will not afford coverage for any claim arising from any fact, circumstance, situation, event or act upon which any executive officer of the Applicant had knowledge prior to the issuance of the proposed policy, nor for any person or entity who knew of such fact, circumstance, situation, event or act prior to the issuance of the proposed policy.

**FRAUD WARNING**

It is a crime to knowingly and intentionally attempt to defraud an insurance company by providing false or misleading information or concealing material information during the application process or when filing a claim. Such conduct could result in your policy being voided and subject you to criminal and civil penalties.

*Stanley Pickens*

Signature of Applicant's Authorized Representative (President, CEO or Chief Information/Security Officer)

PRESIDENT Commissioner

Title

*Stanley Pickens*

Name (Printed)

12-20-2017

Date

ATTEST: *Dandra Collop* *Stanley Pickens*  
County Clerk Presiding Commissioner