

**ADAIR COUNTY COMMISSION MINUTES**  
**TUESDAY, SEPTEMBER 5, 2017**  
**15TH DAY JULY ADJOURNED**

The Adair County Commission convened at 8:30 a.m. on September 5, 2017 in the Courthouse at Kirksville. The Adair County Courthouse was closed on Monday, September 4, 2017 in observance of Labor Day. First District Commissioner, Bill King, and Second District Commissioner, Mark Thompson, were present. Commissioner Thompson will continue to be acting Presiding Commissioner during the absence of Presiding Commissioner Pickens. Presiding Commissioner, Stanley Pickens, arrived in the afternoon.

Steve Richardson voiced concerns about the Mark Twain Transmission route.

Janie Fouch with her father, Frank Pickens, arrived and submitted a petition to the County Commission. The petition addressed To Whom It May Concern and was signed by several individuals. It stated "they were appalled by ATXI's current and past abuse of our community – We are opposed to establishing a precedent where large companies use lawsuits to bully local government."

At 2:25 p.m., the Adair County Commission adopted the following resolution:

BE IT RESOLVED that this meeting be continued in emergency closed session, with closed records and closed votes as permitted by law, for consideration of the following items as authorized by section 610.021.1 of the Missouri statutes:

Discussion under Subsection 1 of the statute for "Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of actions or litigation involving a public governmental body or" ... and


BE IT FURTHER RESOLVED that if any business not covered by the stated reason or reasons for the closed session is raised during the closed session, that such business will be postponed until this meeting is reopened to the public and the sign for a closed meeting is removed from the doors of the Commission office. Those present were Presiding Commissioner, Stanley Pickens; 1<sup>st</sup> District Commissioner, William King; 2<sup>nd</sup> District Commissioner, Mark Thompson; Attorney, Tom Loraine, via telephone; and Adair County Clerk, Sandra Collop. So motioned by Commissioner King and seconded by Commissioner Thompson. Presiding Commissioner, Stanley Pickens, concurred. All voted in favor of the motion at 2:25 p.m. on Tuesday, September 5, 2017.

Closed session ended at 2:32 p.m.

Commissioner Thompson moved to accept the Missouri Department of Transportation (MoDOT) Traffic and Highway Safety Division "Occupant Protection" contract for the Adair County Sheriff's Department. Commissioner King seconded the motion. Presiding Commissioner, Stanley Pickens, concurred. All voted in favor of the motion. The \$5,000 contract is effective October 1, 2017 through September 30, 2017.

At 3:07 p.m., the Adair County Commission adopted the following resolution:

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ATTEST:   
County Clerk

  
Presiding Commissioner

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BE IT RESOLVED that this meeting be continued in closed session, with closed records and closed votes as permitted by law, for consideration of the following items as authorized by section 610.021.1 of the Missouri statutes:

Discussion under Subsection 1 of the statute for "Legal actions, causes of action or litigation involving a public governmental body and any confidential or privileged communications between a public governmental body or its representatives and its attorneys. However, any minutes, vote or settlement agreement relating to legal actions, causes of actions or litigation involving a public governmental body or" ... and

BE IT FURTHER RESOLVED that if any business not covered by the stated reason or reasons for the closed session is raised during the closed session, that such business will be postponed until this meeting is reopened to the public and the sign for a closed meeting is removed from the doors of the Commission office. Those present were Presiding Commissioner, Stanley Pickens; 1<sup>st</sup> District Commissioner, William King; 2<sup>nd</sup> District Commissioner, Mark Thompson; Jim Dauphinais, Route Expert with Brubaker & Associates, Inc.; Attorney, Tom Loraine, via telephone; and Adair County Clerk, Sandra Collop. Mr. Loraine arrived in the office a short time later. So motioned by Commissioner King and seconded by Commissioner Thompson. Presiding Commissioner, Stanley Pickens, concurred. All voted in favor of the motion at 3:07 p.m. on Tuesday, September 5, 2017.

Closed session ended at 4:30 p.m.

The Commission then hosted a public hearing at 6:00 p.m. located at the Kirksville Middle School. The hearing was the result of a request by Ameren Transmission Company of Illinois for an assent from the Adair County Commission pursuant to 229.100 RSMo for the proposed route of the Mark Twain 345-KV electric transmission line project.

Members of the public asked questions and raised concerns during the public hearing with respect to the proposed route. Also attending were members of Ameren Transmission Company and their legal counsel. Capital City Court Reporting documented all proceedings of the hearing. Copies of the transcript will be available to the public when completed.

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ATTEST:

  
County Clerk

  
Presiding Commissioner

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At the end of the evening, Commissioner Thompson asked the question – Is there a motion tonight on the request for assent? Presiding Commission Pickens stated: I move that the Adair County Commission vote to grant assent to the Ameren Transmission 245 – or 345 to Ameren for the purpose of construction of the line within the route as described and attached hereto as Exhibit A1 and Exhibit A2. This assent is granted reserving the right for the Adair County Commission for the future application requesting the Adair County Commission grant assent pursuant to Missouri Revised Statute 229.0 by ATXI or any entity. Mr. Loraine then replied: It’s actually 229.100. Presiding Commissioner Pickens continued: .10, yes. He then turned to Mr. Dauphinais and said: I’ll let you -- Per Mr. Dauphinais: this is the motion Commissioner Pickens is putting forth: I move that the Adair County Commission vote to grant assent to Ameren Transmission Company of Illinois for purposes of constructing a 345 KV electric transmission line within the route as described and attached hereto as Exhibit A1 and Exhibit A2. This assent is granted reserving all rights of the Adair County Commission with respect to future applications requesting the Adair County Commission’s assent pursuant to Missouri Revised Statute 229.100 by ATXI or any other entity. This assent is condition on Ameren Missouri and Ameren Transmission Company of Illinois not raising voltage of the 161 KV circuit on the Teal Line option without first seeking as assent from the Adair County Commission.

And Exhibit A1 is the Notice of Public Hearing for this public hearing. Exhibit A2 is the very detailed route maps that were provided by Ameren Transmission Company of Illinois in response to the Adair County Commission’s request for information on July 18, 2017.

Commissioner King seconded the motion.

Commissioner Thompson then moved to table the motion presented earlier until we receive written commitment of what’s proposed tonight.

Attorney Loraine said we didn’t need to do that as Ameren is on the record with this and if they violate that, they’ll be in a courtroom.

Commissioner Thompson responded, due to the lack of second to the motion to table, the motion died.

Adair County Clerk, Sandra Collop, then conducted a roll call vote. First District Commissioner, William King, stated he was in favor of the motion. Second District Commissioner, Mark Thompson, stated he was not in favor of the motion. Presiding Commissioner, Stanley Pickens, stated he was in favor of the motion.

Mrs. Collop stated “Motion passes.”

Commissioner Thompson thanked the audience for their attendance and adjourned the meeting at approximately 10:00 p.m.

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ATTEST:

  
County Clerk

  
Presiding Commissioner

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**Unscheduled Public Walk-Ins and other Non-Agenda Items for Tuesday, September 5, 2017:**

- Ron Darr – Jonas Property
- Laverne Gerhold – Anti ATXI
- Steve Richardson – Anti ATXI
- Janie Fouch – Anti ATXI
- Frank Pickens – Anti ATXI
- James Taylor – Bridges on Sun Valley and Bellwood Way
- Jack Thomas – Anti ATXI
- Herb Sandefur – Potter Trail
- Rex Sykes – Clemson Lane

IN REF. ORDER NO 8 Adair County Clerk Fees for August, 2017

IN REF. ORDER NO 9 Add-Ons and Releases for August, 2017

IN REF. ORDER NO 10 Adair County Collector Fees for August, 2017

IN REF. ORDER NO 11 Adair County Circuit Clerk Fees for August, 2017

IN REF. ORDER NO 12 MoDOT’s Occupant Protection Contract for the Adair County Sheriff’s Department

CONTRACT	
<small>Form HS-1 Revision Reason: 10/01/03 Version: 3 08/15/2017</small>	
<small>Missouri Department of Transportation Traffic and Highway Safety Division 110, Box 273 1201 Missouri Drive Jefferson City, MO 65102 Phone: 573-751-4151 Fax: 573-634-5977</small>	<small>Project Title: Occupant Protection Project Number: 18M03VE-00-001 Project Category: 4028-Local-PCVE Program Area: Occupant Protection Funding Source: 0056 / 29.675</small>
<small>Name of Grantee Adair County Sheriff's Dept.</small>	<small>Type of Project: Initial Started: 10/01/2017</small>
<small>Grantee County Adair</small>	<small>Federal Funds Benefiting</small>
<small>Grantee Address 215 N Franklin #KANSAS, MO 63201-2516</small>	<small>State: _____ Local: \$5,000.00 Total: \$5,000.00</small>
<small>Telephone: 600-495-4244 Fax: 600-795-3224</small>	<small>Source of Funds Federal: \$3,000.00 State: _____ Local: \$0.00 Total: \$3,000.00</small>
<small>Contract Period Effective: 10/01/2017 Through: 09/30/2018</small>	<small>Prepared By Stacy Mizell</small>
<small>Authorizing Official <i>Stanley Pickens</i></small>	<small>Date 9-5-2017</small>
<small>Project Director <i>Stacy Mizell</i></small>	<small>Date 8-29-2017</small>
<small>Highway Safety Director</small>	<small>Date</small>
<small>If it is mutually agreed by the parties executing this contract to the following: the reimbursable costs shall not exceed the total obligated amount of \$5,000.00; the recipient of funds shall proceed with the implementation of the program as detailed in attached items (which become part of this agreement) and shall adhere to conditions specified in attachments (which become part of this agreement); all Federal and State of Missouri laws and regulations are applicable and any additions or conditions thereto shall be binding; any business and/or equipment acquired in the connection with this agreement shall be used and maintained for highway safety purposes; the recipients of funds must comply with the Title 10 of the Code of Laws, Art of 1964, and the Federal Funds from other sources, excluding Federal Revenue Sharing Funds, will not be used to match the Federal funds obligated to this project.</small>	

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