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Stoddard County Commissioners Meet, Judge Mayer Voted to Break Tie in Water District Board

OCTOBER 18TH 2022 BY DEE LOFLIN

Stoddard County Commissioners Meet, Judge Mayer Voted to Break Tie in Water District Board

Stoddard County Commissioners met in a regularly scheduled meeting on Monday, October 17, 2022.

Pete Mace and Terry Bates from New Lisbon Township asked about the \$12,000 from the Soybean Growers Association for the road district. There are several bridges needing repairs; however County Road 271 needs a bridge replaced. The New Lisbon Township is willing to put in around \$25,000 and just wanted to let the Commissioners know they are very interested in these monies to add to their budget to replace that bridge.

Water District #5 Update:

Stoddard County Commissioners met on Monday, October 17, 2022 at 9 a.m. in the Commissioner Chambers.

Stoddard County Circuit Judge Rob Mayer was on hand to explain his letter submitted to County Clerk Cecil Weeks on Friday, October 11, 2022.

"It was brought to my attention that the Commissioners split on the appointment of Debra Robey and Dave Cooper," stated Judge Mayer. "Commissioner Carol Jarrell nominated Robey and Cooper to the Public Water District No. 5 Board at the October 11th commissioner meeting."

Commissioner Danny Talkington seconded the motion, but voted no to their appointments.

Mayer submitted a document to the Stoddard County Clerk Cecil Weeks. In this document Mayer broke the tie and voted yes to appoint both Robey and Cooper to the Water District.

"Under Missouri Law I do not have the authority to appoint the board member, but pursuant to Missouri law I do have the authority and under the law it says shall vote in a tie breaker when we only have two commissioners.

He also told the Presiding Commissioner that he was not here to debate, but due to his interpretation of the law he took action as it says "shall" vote which means I am required to do so.

Talkington did not agree that this statute was applicable to appointments and was waiting to hear back from the county attorney Travis Elliot.

Judge Rob Mayer stated that the Commissioners have the authority to appoint based on 105.030 Vacancies how filled: 105.030. Vacancies, how filled. - 1. Whenever any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any state or county office originally filled by election of the people, other than in the offices of lieutenant governor, state senator or representative, sheriff, or recorder of deeds in the City of St. Louis, the vacancy shall be filled by appointment by the governor except that when a vacancy occurs in the office of county assessor after a general election at which a person other than the incumbent has been elected, the person so elected shall be appointed to fill the remainder of the unexpired term; and the person appointed after duly qualifying and entering upon the discharge of his duties under the appointment shall continue in office until the first Monday in January next following the first ensuing general election, at which general election a person shall be elected to fill the unexpired portion of the term, or for the ensuing regular term, as the case may be, and the person so elected shall enter upon the discharge of the duties of the office the first Monday in January next following his election, except that when the term to be filled begins on any day other than the first Monday in January, the appointee of the governor shall be entitled to hold the office until such other date.

2. (1) Notwithstanding subsection 1 of this section or any other provision of law to the contrary, when any vacancy, caused in any manner or by any means whatsoever, occurs or exists in any county office, the county commission of all non-charter counties shall, no later than fourteen days after the occurrence of the vacancy, fill the vacancy by appointment, and the person so appointed by the county commission, after duly qualifying

and entering upon the discharge of his or her duties under the appointment, shall continue in office until the governor fills the vacancy by appointment under subsection 1 of this section or until the vacancy is filled by operation of another provision of law.

(2) In any county with only two county commissioners, if the commissioners cannot agree upon an appointee, the two remaining county commissioners and the presiding judge of the circuit court shall vote to make the appointment required under subdivision (1) of this subsection.

3. The provisions of this section shall not apply to:

(1) Vacancies in county offices in any county which has adopted a charter for its own government under Section 18, Article VI of the Constitution; or

(2) Vacancies in the office of any associate circuit judge, circuit judge, circuit clerk, prosecuting attorney, or circuit attorney.

4. Any vacancy in the office of recorder of deeds in the City of St. Louis shall be filled by appointment by the mayor of that city.

Commissioner Jarrell made a motion to accept the letter from Judge Rob Mayer to appoint the two board member. Talkington stated they don't have the authority to accept or reject the letter in the meeting. Jarrell wanted it put in the minutes that he voted and the two were now so duly appointed to the Board.

"He being our Circuit Judge knows a little more than we know," stated Jarrell. "Let Water district #5 move forward."

Talkington seconded the motion to accept the letter and appointment of the two individuals to the board. Call for the vote, Jarrell YES, Talkington NO.

Peter Coutavas of the Industrial Development Association was in attendance and asked why they couldn't just put in the minutes without a motion. Talkington stated that in 2019 he made the decision to only put motions made and voted on in the minutes. There are no discussions in the minutes only what the commissioners actually voted on.

Below is the Letter dated October 13, 2022 from Judge Mayer to Cecil Weeks, County Clerk.

I, Robert N. Mayer, the Presiding Judge of the Circuit Court of Stoddard County, Mo have learned through County Commissioner minutes from the meeting held October 11, 2022, and by an emailed letter from Debra Robey, a resident of Water District #5, that

actions were taken by the Stoddard County Commission on October 11, 2022. I hereby state and affirm the following:

1. That Water District #5 of Stoddard County currently has only (1) director in office and four (4) vacancies.
2. That pursuant to 247.090 R.S.Mo., a majority of the board members (3) is required for a quorum. As a result, the Board of Directors for Water District #5 is unable to pay bills or perform its basic services without three (3) board members.
3. That Water District #5 of Stoddard County services over 400 Stoddard County residents. Without a functioning board, these residents face losing their residential water supply in the very near future.
4. ***Upon my review of Missouri Statutes and case law precedent on the matter, I find that the Stoddard County Commission has the authority under 105.030.2(1) to make appointments to the Board of Directors of Water District #5 of Stoddard County.***
5. That on October 11, 2022, pursuant to the County Commission's broad appointment powers to fill vacancies in county offices under 105.030.2(1) R.S.Mo., Associate Commissioner Carol Jarrell nominated David Cooper and Debra Robey to fill two of the four vacancies on the Board of Directors for Water District #5 of Stoddard County.
6. The motion was seconded by Presiding Commissioner Danny Talkington.
7. Commissioner Jarrell voted yes and Commissioner Talkington voted no.
8. That pursuant to 105.030.2 (2)

"In any county with only two county commissioners, if the commissioners cannot agree upon an appointee, the two remaining county commissioners and the presiding judge of the circuit court shall vote to make the appointment required under subdivision (1) of this subsection"

9. That currently there are only two county commissioners in Stoddard County as a result of this Court's order in 22SD-CC00099, wherein Associate Commissioner Steve Jordan is restrained from acting in his capacity as commissioner.

Now on this 14th day of October, 2022, I, Robert N. Mayer, Presiding Circuit Judge of Stoddard County, pursuant to 105.030.2(2) R.S.Mo. and as a tie breaking vote, vote yes for the appointment of David Cooper and Debra Robey to the Board of Directors for Water District #5 of Stoddard County.

Commissioner Jarrell made a motion to accept the Minutes from Tuesday, October 11, 2022. Commissioner Talkington seconded the motion. Both voted yes.

Those minutes included:

Approval of minutes for October 3, 2022 (passed)

Appointment of board members to PWSD, Dave Cooper and Debbie Roby (split vote)

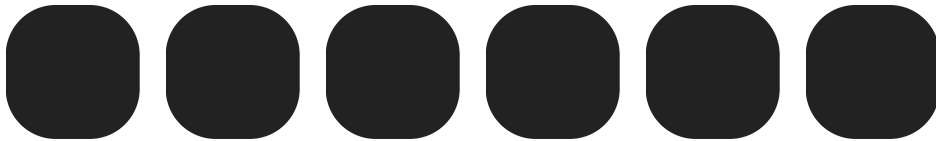
Approval of adds and abates for September 2022 (passed)

No minutes available for the Insurance Bid Opening meeting held on Wednesday, October 12, 2022 at 1:30 p.m. There is a full article on the ShowMe Times about the Bid Opening.

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Route V in Stoddard County Reduced for Bridge

Maintenance

OCTOBER 17TH 2022 BY DEE LOFLIN

Route V in Stoddard County Reduced for Bridge Maintenance

Route V in Stoddard County will be reduced to one lane as Missouri Department of Transportation crews perform bridge maintenance over the Upper Castor River.

This section of roadway is located from County Road 234 to County Road 232.

Weather permitting, work will take place Wednesday, October 19 and Thursday, October 20 from 7 a.m. to 3 p.m.

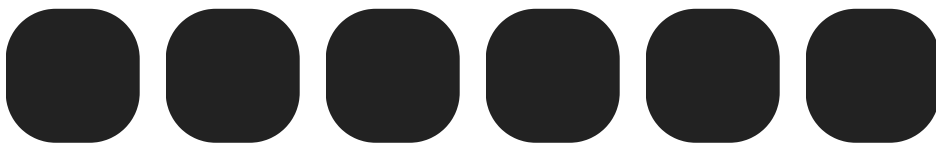
The work zone will be marked with signs. Motorists are urged to use extreme caution while traveling near the area.

For additional information, contact MoDOT's Customer Service Center toll-free at 1-888-ASK-MODOT

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<https://showmetimes.com/Blogpost/vhug/Route-V-in-Stoddard-County-Reduced-for-Bridge-Maintenance>

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City of Dexter Residents to Vote on Proposition 1 in November

OCTOBER 17TH 2022 BY DEE LOFLIN

City of Dexter Residents to Vote on Proposition 1 in November

The city of Dexter will have Proposition 1 on the November 8th ballot.

Proposition 1 will allow the City of Dexter to appoint the City Collector instead of voting for a City Collector by the citizens of Dexter.

If you have any questions, please call Dexter City Hall for information.

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Connecting All Missourians

OCTOBER 17TH 2022 BY DEE LOFLIN

Connecting All Missourians

The Office of Broadband Development in partnership with the Regional Planning Commissions and the University of Missouri system, invite you to join us for the Connecting All Missourians regional listening session.

October 19, 2022

10:00 AM-12:00 PM

Bootheel Regional Planning Commission 105 East North Main Street, Dexter MO 63841

The meeting will be held in person, with a concurrent virtual option available for those who are unable to attend in-person. To view the schedule of meetings and register please [click here](#).

The Connecting All Missourians programs - funded through the Federal Broadband Equity, Access, and Deployment (BEAD) program and the Digital Equity Act (DEA) -

represent an unprecedented opportunity to connect unserved and underserved Missourians. These programs will fund lasting investments in broadband infrastructure and digital inclusion programs to make sure Missourians can make full use of the internet once they get it. Connecting All Missourians aims to ensure that every Missourian has access to the internet, an internet-capable device, and the knowledge/skills necessary to take full advantage of the opportunities broadband provides. Feedback received from stakeholders at the events will guide the creation of a five-year infrastructure plan and Missouri’s Digital Equity Plan.

The main purpose of the regional listening session is to hear from a diverse range of broadband stakeholders, including, citizens, businesses owners, community anchor institutions such as libraries, schools, and hospitals, local governments, and service providers.

Stakeholder input is crucial to the work of the Office of Broadband Development as they develop future programs.

The information collected will shape the development of broadband infrastructure in Missouri for the foreseeable future. The goal of this campaign is to identify broadband challenges and barriers while identifying resources that can further our mission: Connecting All Missourians.

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Stoddard County Commission Opens Bids for Health Insurance

OCTOBER 12TH 2022 BY DEE LOFLIN

Stoddard County Commission Opens Bids for Health Insurance

The Stoddard County Commission held a special meeting on Wednesday, October 12, 2022 at 1:30 p.m. to open bids from the five final insurance brokers who have quotes for the new health insurance plan for the county employees.

Presiding Commissioner Danny Talkington opens the first bid from Arch Brokerage which was received in the County Clerk's office sealed at 8:54 a.m. on October 6, 2022. Arch Brokerage offered a fixed amount per employee of \$349.45 and for the employee/spouse/family a cost of \$1,247.90. The total yearly cost for the Health EZ Pan American plan would be \$721,378.80 to Stoddard County.

The second bid was from Mitchell Insurance. it was received on October 11, 2022 at 8:58 a.m. They offered a D2E Three Tier Plan design at a yearly cost of \$707,566 with a max of \$788,650. Mitchell Insurance's coalition is Renovate Health Coalition.

The third bid was from Billington Insurance and it was received on October 11, 2022 at 9:32 p.m. Billington had a stop/loss at \$32,500 with an option to raise to \$35,000. Their quoted annual cost to the county would be \$749,112.32.

The fourth bid was from Mutual Medical and it was received on October 11, 2022 at 11:56 a.m. The presented three options. Option 1 was Symetra at a cost of \$701,528. Option 2 was Pan American Life at a cost of \$754,089. Option 3 was Berkshire Hathaway Life Insurance Co. at a cost of \$687,091.

Bid #5 was from County Wide Insurance and it was received on October 11, 2022 at 3:49 p.m. They offered a Saint Francis Health Plan. All hospitals are in the network within a 12 county region on a Tier 1 level. The plan had a stop/loss of \$25,000. The annual cost to the county for the base plan is \$677,306.

The Commissioners will have some work ahead of them this week reviewing all the bids submitted. They will give each of the five insurance brokers/companies a chance to give a presentation during a work session. Then the Commission can ask questions. The Commission will make a final decision on Monday, October 24, 2022 in their regularly scheduled weekly meeting.

The Commissioners will begin their work session at 1:30 on Thursday and continue until they have had a chance to review all the bid information and meet with each broker individually or in a conference call.

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