

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**23<sup>rd</sup> Day's Proceedings, 2<sup>nd</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners attended the County Commissioners Association of Missouri required training in Osage Beach, Missouri March 1<sup>st</sup> – 3<sup>rd</sup>, 2023.

Adjournment was at 4:00 p.m. The next meeting will convene on March 6, 2023.

ATTEST: \_\_\_\_\_  
 Diane Thompson, County Clerk

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 Troy A. Matthews, Presiding Commissioner

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 John L. Marr, Eastern Commissioner

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 Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**24<sup>th</sup> Day's Proceedings, 6<sup>th</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The monthly report of monies received in February 2023 by Diane Thompson, County Clerk was approved. Deposited with the Treasurer was \$12,759.39.

Fees received in February 2023 from Stormy Taylor, Recorder of Deeds were approved. Fees deposited with the Treasurer were \$24,275.00.

The Commissioners reviewed bid documents for Request for Bids - Sale of Property (122 Hout Street, Warrensburg) and Request for Bids – Road Oils.

The Commissioners received monthly fees collected report from Prosecuting Attorney, Robert Russell for February 2023 totaling \$3,580.00 which was deposited with the Treasurer.

The Commissioners met with Mitch Marquess for the Maintenance Update; discussion included:

- 135 W. Market Street – Marquess stated the Road and Bridge Department will be working on cleaning out the yard but noted the space is limited so the trailer will have to be put next to the current trailer.
- Courthouse Water Leak – Marquess stated there was a water leak behind the drinking fountain on third floor. Water fountain removed and replaced the shut off valve; needs to be painted.
- Utility Task Vehicle (UTV) – Marquess noted Swisher's will be doing some warranty work and checking compression since the oil light keeps coming on.
- Justice Center Courtrooms heating, ventilation, and air conditioning (HVAC) – Marquess recommended changing the thermostats to the digital thermostats; Commissioner Matthews hold off
- Lowe's – due to unprocured purchases by the Sheriff's Office, there should be no purchases made at Lowe's until after the accrued purchases is under \$12,000 in a 90-day period.
- Dennis Boling (electric and HVAC) – due to unprocured purchases, there should be no service requests of Boling until after the accrued purchases is under \$12,000 in a 90 day period unless procurement procedures is followed, spending of up to \$2,573.00 could be made after May 1, 2023, an additional 5,766.00 after May 7, 2023, and an addition \$3,361.00 after May 25, 2023.
- Courthouse Lawn – Marquess stated plugging and seeding went well and with the sporadic rain scheduled, grass should be growing well this spring.
- 122 Hout Street – Marquess reported attempting to access the building but, in his efforts, to go to the basement, Marquess encountered eight (8) feet of standing water in the basement. Marquess noted there was a water meter under the street that froze. Marquess stated the water company is pumping the water out and will remove the meter after the electric company; Auditor will call to cancel the water service to the building.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to execute the notice to proceed to Great Rivers Engineering for BRO-R051(41), Bridge #1740004 over Branch of Walnut Creek on NE 500th Road. Motion approved unanimously.

The Commissioners received, discussed and approved the 2022 the Collector's Annual Settlement, (including distributions to county entities such as: hospital, schools, fire protection districts, sheltered workshop, ambulance district, etc.) as required by RSMo 139.160 as submitted by Laura Smith, Collector. Smith reviewed the Commission's March 2022 decision to write off the back property tax and remove the lot (located northwest of Lowes used for storm water drainage) from the tax rolls. Smith submitted surtax distribution, interest year to date and abatements per recommendation of the State Auditor's Office (SAO). SAO also recommended Smith disburse collections to minimize the appointed Collector disbursing taxes from the previous Collector. Smith presented the back-tax book for the 1313. Tax Distribution Summary with total distribution of \$760,090.06 for February 2023 was received and approved as submitted by Laura Smith, Collector. Smith noted she is going to the Collector's Conference in Old Kinderhook March 6-7, 2023.

The Commissioners met with Jill Purvis for the Warrensburg Main Street Monthly Update. Purvis noted the Piccadilly (fundraiser) is sold out. Purvis stated the Farmer's Market has 20 vendors identified at this point. Purvis stated movie nights are being scheduled with the help of Sterling Elementary students. Purvis noted T-Mobile Grant (potential funding for a trailer or shed to hold fencing and farmer's market materials in the old prisoner yard at 135 W. Market Street, Warrensburg) is expected to be awarded Fall 2023.

Commissioners received correspondence from Tim West, Betram Graf, attorney for opioid lawsuit(s), regarding settlements with Teva, Allergan, CVS, Walgreens and Walmart to be signed to confirm Johnson County wants to participate in those settlements. West recommended participation as the five (5) settlements collectively almost double the amount of settlement funds that were previously available through the Janssen and Distributors settlements.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to approve and authorize Presiding Commissioner Matthews to execute the National Prescription Opiate Litigation settlement documents to participate in the relevant Teva, Allergan, CVS, Walmart, and Walgreens Opioid Settlements. Motion approved unanimously.

The Commissioners met with Tracy Brantner, Johnson County Economic Development Executive Director who stated the draft Courthouse Entrances documents have been printed for Commission's review, next meeting scheduled March 14, 2023.

At 10:00 a.m. in the Commissioners' Chambers, located on the 2nd Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried. Other individuals in the closed session: Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation Executive Director.

At 10:40 a.m. having no further business to discuss with regard to the matter before the Commission, a motion was made by Kavanaugh and seconded by Marr to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

The Commissioners met with Stephanie Truex and Darlene Buckstead for the Johnson County Community Health Services Monthly Update; also present: Cassidy Poteet, Emergency Management Agency Director.

- Influenza and COVID-19 cases in Johnson County, Missouri are decreasing.
- Community Resource List – updating the website with resources for abuse, food, medical services, mental services,
- Active Shooter – Sheriff Deputy O'Conner
- CPR (not basic life support (BSL))

The Commissioners met with Hunter Kelley, based out of Kansas City in the Federal Courthouse, from US Senator Josh Hawley's office. Discussion included challenges with 13 Highway development. Commissioner Marr expressed concern that 65 Highway is a four-lane north-south federal highway but it closed with high water but Highway 13 does not have to close with high water but it is only two (2) lane highway.

The Commissioners received the February 2023 Summary Settlement from Treasurer Heather Reynolds.

The Commissioners met with representatives from Republic Services and Tony Lerda, O&M Enterprises, regarding the dumpster that services the sanitation system at the Sheriff's Detention Center. The Commissioners expressed frustration with the inconsistent emptying of the dumpster by Republic was emptied approximately ten days prior to this meeting but prior the dumpster had not been emptied since May 2022. Mark Starr, Division Sales Manager for Republic Services reviewed the proposed (prior to this meeting) a ten-yard roll-off dumpster with a lining that would be dumped using a separate truck due to the special handling requirements for human waste.

Lerda explained the waste stream comes through a bar screen where items such as food wrappers, t-shirts, towels, and other items flushed down the toilets by inmates get caught in the bar screen and are manually removed and put into the dumpster daily. Lerda also noted that in reviewing the cleaning process with the Jail Maintenance personnel, it was determined jail staff would more thoroughly separate the biodegradable materials from the items that cannot go through the septic system. Lerda noted that there is currently ten days of debris in the dumpster and it was not quite half full. Lerda stated the improved debris separation would reduce the debris deposit in the dumpster. The Commission noted the dumpster is supposed to be emptied three times a week, similar to the one at the front of the property, and much of the current waste in the dumpster was collected from the ground and after the dumpster was most recently emptied.

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**24<sup>th</sup> Day's Proceedings, 6<sup>th</sup> Day of March 2023**

Republic Services Representatives agreed that a ten yard roll off would be overkill for the situation. Republic Service Representatives agreed to provide a new dumpster with a lid and remove the plug so liquids would drain properly and committed to emptying the dumpster three (3) times per week as is practice with the other dumpster.

The group also briefly discussed the current condition of SE 401<sup>st</sup> Road and SE 421<sup>st</sup> Road adjacent to the Landfill. It was noted that the Road and Bridge Department has tried several ways to keep that roadway passable but due to the high volume of trash trucks and their combined weight, the chip and seal overlay did not last long. Republic expressed their appreciation for having a better understanding of the history of the road conditions and efforts the County has made.

Bids for Corrugated Aluminumized Culverts were opened at 1:30 p.m. on February 28, 2023 as advertised. The Commissioners considered the bids:

	Item	Diameter (inches)	Gauge	Length (feet)	Quantity	Viebrock Sales and Service, LLC		Metal Culverts, Inc.	
						Price/LF or BAND	Total	Price/LF or BAND	Total
Corrugated Aluminum Culverts	2.4a	15	16	34	36	\$14.76	\$18,066.24	\$15.12	\$18,506.88
	2.4b	18	16	34	30	\$18.44	\$18,808.80	\$17.96	\$18,319.20
	2.4c	24	16	34	20	\$23.36	\$15,884.80	\$24.03	\$16,340.40
	2.4d	36	14	34	6	\$44.27	\$9,031.08	\$43.95	\$8,965.80
	2.4e	36	14	40	6	\$44.27	\$10,624.80	\$43.95	\$10,548.00
	2.4f	48	14	40	8	\$58.99	\$18,876.80	\$58.69	\$18,780.80
Bands (Hugger) with Bolts	2.4g	15			10	\$22.14	\$221.40	\$31.80	\$318.00
	2.4h	18			10	\$27.66	\$276.60	\$37.80	\$378.00
	2.4i	24			24	\$35.04	\$840.96	\$44.20	\$1,060.80
	2.4j	48			10	\$66.41	\$664.10	\$98.00	\$980.00
	<b>GRAND TOTAL</b>						<b>\$93,295.58</b>	<b>\$94,197.88</b>	

2.4k - Response Time/Delivery

2-3 weeks

3-4 Weeks ARO

Commissioner Kavanaugh motioned and Commissioner Marr seconded to award the Corrugated Aluminumized Culverts as follows:

	Item	Diameter (inches)	Gauge	Length (feet)	Quantity	Viebrock Sales and Service, LLC		Metal Culverts, Inc.	
						Price/LF	Total	Price/LF	Total
Corrugated Aluminum Culverts	2.4a	15	16	34	36	\$14.76	\$18,066.24	<b>NOT AWARDED</b>	
	2.4b	18	16	34	30	<b>NOT AWARDED</b>		\$17.96	\$18,319.20
	2.4c	24	16	34	20	\$23.36	\$15,884.80	<b>NOT AWARDED</b>	
	2.4d	36	14	34	6	<b>NOT AWARDED</b>		\$43.95	\$8,965.80
	2.4e	36	14	40	6	<b>NOT AWARDED</b>		\$43.95	\$10,548.00
	2.4f	48	14	40	8	<b>NOT AWARDED</b>		\$58.69	\$18,780.80
Bands (Hugger) with Bolts	2.4g	15			10	\$22.14 per band	\$221.40	<b>NOT AWARDED</b>	
	2.4h	18			10	\$27.66 per band	\$276.60	<b>NOT AWARDED</b>	
	2.4i	24			24	\$35.04 per band	\$840.96	<b>NOT AWARDED</b>	
	2.4j	48			10	\$66.41 per band	\$664.10	<b>NOT AWARDED</b>	
<b>GRAND TOTAL</b>						<b>\$35,954.10</b>	<b>\$56,613.80</b>		

Motion approved unanimously.

Adjournment was at 4:00 p.m. The next meeting will convene on March 7, 2023.

ATTEST: \_\_\_\_\_  
 Diane Thompson, County Clerk

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 Troy A. Matthews, Presiding Commissioner

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 John L. Marr, Eastern Commissioner

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 Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT  
25<sup>th</sup> Day's Proceedings, 7<sup>th</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners tabled the Request for Bids - Sale of Property (122 Hout Street, Warrensburg) until further notice.

The Commissioners met with Sheriff Scott Munsterman. Munsterman noted that Jackson County intends to use the three percent (3%) sales tax collected on recreational marijuana sales for development of a new Sheriff's department. Commissioner Matthews noted the County has the recreational marijuana sales tax question on the ballot but has not designated funds for specific use. Munsterman also noted the road and bridge department estimated 300 tons of gravel (\$3,351.00) would be needed to re-gravel and expand the parking lot. Munsterman asked if the Commission wanted road and bridge to proceed with the parking lot work. The Commissioners stated Road and Bridge should proceed with the parking lot work; it was not discussed where the \$3,351.00 would be paid from.

The Commissioners discussed the November 7, 2022 approved the 2023 Gravel Reimbursement rate of \$1,500.00 per mile and determined to keep the rate as previously approved.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to approve the 2023 Annual Payment to Subdivisions with Accepted Hard Surface Roads. Motion approved unanimously.

The Johnson County Commission authorizes the payment of road maintenance fees for the following subdivisions from Road and Bridge (002-120-57410):

Burnwood	\$1,200.00
City of Kingsville	\$660.00
Crabtree Country	\$900.00
Forest Ridge	\$811.80
Green Acres	\$1,350.00
Hickory Hills	\$3,150.00
Idle Wild	\$750.00
Oak Creek	\$1,200.00
Oakshire	\$5,100.00
Quarry Branch	\$555.00
Rainbow Acres	\$600.00
Seneca Hills	\$750.00
South Fork	\$1,125.00
South Heights	\$1,650.00
Southern Hills	\$750.00
Southern Hills -North	\$225.00
The Preserves	\$1,198.50
Villages of Whiteman	\$1,770.00
Woodland Trails Subdivision	\$600.00
<b>TOTAL</b>	<b>\$24,345.30</b>

Furthermore, a transfer in the amount of \$11,785.50 shall be made by the Auditor's office from Road and Bridge (002-120-57410) to Subdivision Road Maintenance Escrow Revenue (045-000-45800). The expense line for each subdivision has been budgeted accordingly for available road improvement costs.

The transfer of funds for payroll of County Officials and employees for the period February 18, 2023 through March 3, 2023 was approved from County funds in the following amounts: County Revenue: \$67,245.63; Road and Bridge Department: \$46,867.86; Assessment: \$17,025.73; Bridge Construction: \$25,126.84; Juvenile Officers: \$5,552.75; Prosecuting Attorney: \$28,258.03; MoSMART Sal Supplement: \$323.05; Recovery Court – SAMHSA Grant: \$6,158.47; Commission Administrative: \$0.00; Sheriff: \$74,627.20; Jail: \$80,602.16; P.A. Child Support IV D: \$2,248.82; P.A. VOCA Grant: \$1,846.15; Grand Total: \$355,882.69.

The Commissioners met with Phillip Parra, IMEG Client Executive; Stuart Braden, IMEG Principal / Senior Engineering Specialist and Trudy Faulkner, STRATA Architecture to review the Courthouse Heating Ventilation Air Conditioning (HVAC) final assessment.

**Option One (1)** – Parra reviewed the plan with chilled water system in the building, removal of window air conditioning units, addition of fan coil air handling units on each floor and dedicated outdoor system. Faulkner expressed concern with a large louver impacting the historical image of the courthouse and potentially compromising State Historic Preservation Office's (SHPO) approval of the plan. Braden stated the louver(s) would not be large. Parra reviewed the commercial air handling unit (currently shown on the second floor in Human Resources main office and is six feet by 15 feet) with temperature control boxes that would provide both heat and cool. Faulkner noted this would require moving current workstations and offices. Parra stated this option has a longer life and is more robust but the equipment is larger and will require larger duct work to be distributed on the main floor (through the main corridor). Braden stated if the County gets a good commercial unit, it will not put off a great deal of heat or noise. Braden reviewed the air handling units would be placed in major spaces on the third and fourth floors and would be individually adjusted for comfort. Parra reviewed that installing the second-floor units on the fourth floor may be possible if structural reinforcements were added to account for the additional weight.

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**25<sup>th</sup> Day's Proceedings, 7<sup>th</sup> Day of March 2023**

**Option Two (2)** – Parra reviewed the plan is similar to option 1 (with air handling units and air handling system) but using refrigerant piping and dedicated condensing units outside the building for all floors. There would be a dedicated outdoor air system (DOAS) system and an outdoor heat pump on the north side of the building. Braden stated there might be only two to three pipes in Option 2 versus four pipes in Option 1.

**Option Three (3)** – Parra reviewed the first floor would have a hydronic fan coil unit with chilled and heated water, second, third and fourth floors would have fan coil units with shorter runs of smaller duct work. Parra noted one dedicated outdoor system (required for ventilation air recovery), one unit would be placed on the fourth floor (HVAC for first, second, and third floors and use restroom fans for return air). Braden stated if units were installed vertically, maintenance would have to be done from a ladder. Braden stated units could be set in vaults on second and third floors since the fan coils by themselves are not as robust Braden stated the advantage to this option is the duct work is less invasive. Commissioner Kavanaugh noted potential challenges with multiple moving parts.

**Ongoing Maintenance** – Braden noted options 1 and 2 would require preventive maintenance once a year but option 3 requires monthly maintenance.

**HVAC Option Comparison** – Braden stated fan coil units are the same size in both option 1 and 2. Refrigerant piping would mean less and smaller penetration for option 2. Parra stated the hydronic system (option 3) is tried and true that usually has very little long-term problems. Kavanaugh noted that the Commission didn't get to tour the Saline County courthouse as because their meeting was at a different location. Braden stated if the courthouse was not a historic building, he would recommend option 1 but there are some cons (larger units and duct work).

Braden reviewed the economic and energy analysis as well as Life-Cycle Cost Analysis (LCCA) from the packet. Braden noted that more efficient does not necessarily mean least cost energy-wise.

If Option 1 is the baseline and there is an addition of new windows there is an energy savings of nine percent (9%). Option 3, in comparison with Option 1, has an overall energy use savings of twenty-two percent (22%) and appears to be the most energy efficient. Option 2 had savings over Option 1 for gas and electricity but has more ongoing Lifecycle costs.

Braden stated he does not prefer using fan coil units with Option 3 but that system that would be less destructive to the historical nature of the building and the system would be easier to install.

Braden stated option 1 and 2 are similar (chilled water versus refrigerant based), but would go with Option 1, noting if the decision was based on the mechanics alone, option 1 is the better choice, but if based on installation alone, option 3 would be the better choice.

Faulkner stated that Option 1 would significantly impact the spaces (offices, storage and public spaces) so it is important to consider how the mechanical system will impact the space and account for additionally needed changes to make sure the spaces still function. Faulkner noted it would be poor planning to install the electric and HVAC upgrades and then move back in to realize it does not function (code improvements, enough restrooms, etc.) like it needs to. Commissioner Kavanaugh stated he is leaning toward HVAC Option 1, but would want to know how much structurally would have to change. Braden stated they will need to look at structural reinforcement of the fourth floor and how units could get up to the fourth floor.

Faulkner stated that more information is needed to understand cost implications.

**Costs** – Commissioner Marr noted that five (5) years ago when the county, was originally planning for HVAC, the estimated costs were two million dollars (\$2,000,000). Faulkner noted the arched ceilings that will require structural work but it could be estimated that costs would be around three million dollars (\$3,000,000) however it is just a guess due to the massive swings in bids from contractors from on project to the next. Commissioner Marr stated the costs involved may limit the project to HVAC (even if that means oversizing the units account for the poor window quality and window units not being removed) with windows and window air conditioning units being replaced later. Faulkner noted finish work is not included in the pricing (clean up from cutting holes for duct work). Marr asked if it was reasonable that the County set back five million dollars (\$5,000,000) for the project, not including the windows. Faulkner felt \$5,000,000 was a fair value for the HVAC and electrical upgrades depending on how much additional work is needed to be done (repainting, new carpet, and other finishings that might need to be done while things are torn up anyway).

**Windows** – Faulkner noted the estimated cost of \$560,000 for windows and \$350,000 for repairing masonry openings around the windows (needed to ensure air-tight and water-tight enclosures), with a total window project estimated cost of one million dollar (\$1,000,000). Faulkner noted if windows are not done at the same time as HVAC, additional incremental HVAC operation cost will be incurred and there is a likeliness of staff being displaced a second time. Faulkner reviewed two (2) window options:

1. Marvin Wood with Exterior Metal Clad Ultimate Single Hung (Double-hung simulated) windows and round top units to incorporate the arches.
2. WinVent All Aluminum Single Hung 2000HSH (Historic Single Hung). All metal solution with no potential for wood rot or decay from water infiltration. Most low maintenance option but may have challenges getting the windows approved by SHPO.

**Timing** – Faulkner noted some products and work have long lead times (some are six months to a year out). Parra stated the project is estimated to take nine to twelve months if all staff are relocated and construction has exclusive access to the courthouse, or eighteen to twenty-four months if staff remains in the building during construction; staff would have to be shifted so construction work could be done and the courthouse would be a construction site with dust, noise, loss of power or water, etc. Faulkner suggested the Commission have a conversation with office holders about the building being a construction site and the need to shift people around during the estimated two-year construction period.

**Courthouse Vacation** – Commissioner Matthews stated it is not feasible for offices to be removed from the building for one year. Thompson noted the need for public to enter the building for absentee voting, particularly for November 2024 Presidential Election.

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**25<sup>th</sup> Day's Proceedings, 7<sup>th</sup> Day of March 2023**

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**Next Steps** – Faulkner stated a fee proposal for one design development is estimated to take 3-4 months and STRATA is booked up until June 2023.

1. Additional Options: IMEG would assemble information about additional options to be considered as part of the project (mechanical, electric, plumbing, fire suppression, information technology [not to include pulling cable]) and STRATA would assemble architectural coordination, structural engineering needs, and cost estimations.
2. Option Decisions – Commission would determine which options to include in the project.
3. Schematic Designs and Costs – Schematic design and costs to make a final decision.
4. Construction Document Creation.

Commissioner Kavanaugh requested IMEG to move to next step at looking at what those extra costs would be (structural, electrical, placement of units). Commission was in unanimous agreement to move forward to next step. Parra stated he anticipates that work to be prepared within the next week and once the Commission approves that work, IMEG will move forward with design and development of construction documents. Commissioner Kavanaugh noted the hope to use American Rescue Plan Act (ARPA) funds for the project but funds have to be obligated by December 2024 and spent by December 2026 and asked if those deadlines could be met. Brantner noted that federal procurement guidelines could be followed in the event the project can use ARPA funds.

Heather Reynolds, Treasurer submitted documentation from the state for February 2023 sales tax funds which have been received and distributed as follows: General Revenue: \$285,598.34; Jail: \$142,799.59; County Law Enforcement: \$258,718.97; Animal Services: \$64,575.91; Road and Bridge: \$285,598.72; Law Enforcement: \$285,598.61; and Road Use Tax: \$180,611.45.

The Commissioners individually reviewed and approved previous minutes.

Adjournment was at 4:00 p.m. The next meeting will convene on March 9, 2023.

ATTEST:

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Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

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Charles Kavanaugh, Western Commissioner

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**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**26<sup>th</sup> Day's Proceedings, 9<sup>th</sup> Day of March 2023**

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The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

Commissioner Marr attended the Solid Waste Region F Meeting in Sedalia, Missouri on March 8, 2023. Commissioner Marr reported a countywide cleanup and recycling event will be held Saturday, June 17, 2023 at 326 E. North Street, Warrensburg.

The Commissioners met with Mitch Marquess, Maintenance Supervisor. Marquess stated American Water finished pumping out the standing water in 122 Hout Street, Warrensburg on March 8, 2023 and reported the building (sheetrock, wood, carpet, etc.) is saturated with water. Marquess reported walking in the building and it is noticeable by the air quality that moisture growing since the building is closed, with no electricity to run fans, air cleaners or HVAC the growth is not going to decrease. Commissioner Kavanaugh stated no county staff should enter the building until the building has been determined to be not hazardous for entry. Commissioner Kavanaugh stated he will contact SteaMagic for a quote for remediation. Marquess noted the Justice Center staff entry door is not unlocking and the electric panel to access the door controls is not easily accessible. Marquess stated they have temporarily fixed the door in an unlocked state, while staff arrive to work, but after a few hours, all staff will have to enter the front doors. Commissioner Kavanaugh requested Marquess discuss options with the deputies to verify the best procedures for the security of staff and patrons. Marquess stated that was his intention following his meeting with the Commission. Marquess requested permission to have dormakaba review the problems, since the troubleshooting efforts he knew were unsuccessful. The Commissioners requested Marquess contact dormakaba for an estimate to repair the door.

The Commissioners reviewed and approved accounts payable in the amount of \$328,252.82.

**Retail Liquor by the Drink Temporary Liquor License**

**Schroeder, Jason R. and Schroeder William O** d/b/a Olde Town South, 109 West McPherson, Knob Noster, MO requested and was granted license to sell liquor by the drink weekdays. The license shall expire May 29, 2023.

**Sunday by Drink License**

**Schroeder, Jason R. and Schroeder William O** d/b/a Olde Town South, 109 West McPherson, Knob Noster, MO and was granted license to sell liquor by the drink prorated Sundays license shall expire June 30, 2023.

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26th Day’s Proceedings, 9th Day of March 2023**

The Commissioners met with Gary Bell, Road and Bridge Supervisor. Bell noted receiving a call from the City of Kingsville regarding the County’s maintenance of SW 275<sup>th</sup> Road (road to the ballpark), which the City of Kingsville partially chip and sealed. Bell reviewed with the new mayor that the City of Kingsville received a check for the amount that would have been spent on the maintenance of the gravel road since 1997 (when the road was hard surfaced) in lieu of the county maintaining the road surface. The Commissioners requested the Road and Bridge Department add gravel around the Sheriff’s dumpsters, lagoon, and parking lot. Bell stated he will also assist with cleanup of the excess pallets. Bell noted hard surface projects for this year will likely start around the end of May or beginning of June, depending on weather with the thought that the first roads to be completed would be SW 1501<sup>st</sup> Road (from SW 25<sup>th</sup> Road to Bridge) and SW 1521<sup>st</sup> Road (from 58 Highway to SW 1501<sup>st</sup> Road to bridge north of SW 75<sup>th</sup> Road). Discussion included staffing plans after Bell’s retirement in April 2023.

The Commissioners met with Emma Boyle, Allison Bolt and Kotey Bennett for the University of Missouri Extension Monthly Update. Boyle presented the report, reviewing completed/ongoing and upcoming events. Boyle also noted having reported plumbing maintenance issues (second floor boys restroom sink leaking and first floor men’s sink faucet leaking) to Mitch Marquess.

Commissioner Kavanaugh requested a SteaMagic representative meet with Mitch Marquess to quote repairing the water damage at 122 Hout Street, Warrensburg. SteaMagic Representative stated the remediation needed was beyond their ability and recommended a remediation team, like ServePro of Lee’s Summit, be contacted.

The Commissioners met with Randy Dillon, Viebrock Sales and Service. Dillon stated Contech (Viebrock’s culvert manufacturer) stated the prices submitted in the bid were priced to be awarded the whole bid; not to be individually purchased. Dillion stated if the Commission is going to split the award, Viebrock will be required to withdraw their bid.

Bids for Corrugated Aluminumized Culverts were opened at 1:30 p.m. on February 28, 2023 as advertised. The following bids were received:

	Item	Diameter (inches)	Gauge	Length (feet)	Quantity	Viebrock Sales and Service, LLC		Metal Culverts, Inc.		
						Price/LF or BAND	Total	Price/LF or BAND	Total	
<b>Corrugated Aluminum Culverts</b>	2.4a	15	16	34	36	\$14.76	\$18,066.24	\$15.12	\$18,506.88	
	2.4b	18	16	34	30	\$18.44	\$18,808.80	\$17.96	\$18,319.20	
	2.4c	24	16	34	20	\$23.36	\$15,884.80	\$24.03	\$16,340.40	
	2.4d	36	14	34	6	\$44.27	\$9,031.08	\$43.95	\$8,965.80	
	2.4e	36	14	40	6	\$44.27	\$10,624.80	\$43.95	\$10,548.00	
	2.4f	48	14	40	8	\$58.99	\$18,876.80	\$58.69	\$18,780.80	
	<b>Bands (Huger) with Bolts</b>	2.4g	15			10	\$22.14	\$221.40	\$31.80	\$318.00
		2.4h	18			10	\$27.66	\$276.60	\$37.80	\$378.00
		2.4i	24			24	\$35.04	\$840.96	\$44.20	\$1,060.80
		2.4j	48			10	\$66.41	\$664.10	\$98.00	\$980.00
						<b>GRAND TOTAL</b>	<b>\$93,295.58</b>	<b>GRAND TOTAL</b>	<b>\$94,197.88</b>	

2.4k - Response Time/Delivery 2-3 weeks 3-4 Weeks ARO

The Commissioners awarded the bid dividing the products based on the individual item’s lowest bidder on March 6, 2023.

The Commissioners were notified, on March 9, 2023, that Viebrock Sales and Service, LLC’s submitted bid and pricing was contingent on all items being awarded to a single bidder, as was done by the Johnson County Commission since before 2010.

Having considered the information from Viebrock Sales and Service, LLC. and the total bid prices, Commissioner Kavanaugh motioned and Commissioner Marr seconded to award the Corrugated Aluminumized Culverts to the lowest and best bid Viebrock Sales and Service, LLC of Sedalia, Missouri for a total of \$93,295.58. Motion approved unanimously.

The Commissioners met with Tony Shackelford who stated he is having challenges with a neighboring property owner (Heather Laubert) that has recently put a fence (to keep their dogs on their property) right next to the roadways (NW 800<sup>th</sup> Road and H Highway) surrounding his property. Shackelford stated the fence limits the width of the NW 800<sup>th</sup> Road to 24 feet and 10 inches which is too narrow for Shackelford to transport necessary farm equipment down the road. Shackelford stated the road only has a ditch on one side but if the County wanted to put a ditch on the other side, the newly installed fence would be destroyed in the process. Shackelford stated Laubert has also installed a camera to watch who comes down the road and if someone damages the fence. Shackelford requested the Commissioners talk with Laubert and request the fence be moved. Commissioner Kavanaugh noted they would discuss the matter with legal counsel to verify the best way to proceed.

Commissioner Matthews attended the Whiteman Area Leadership Council meeting.

At 10:32 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Revised Missouri Statutes 610.021 (1) 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 action or litigation involving a public governmental body or any agent or entity representing its interests or acting on its behalf or with its authority, including any insurance company acting on behalf of a public government body as its insured, shall be made public upon final disposition of the matter voted upon or upon the signing by the parties of the settlement agreement, unless, prior to final disposition, the settlement agreement is ordered closed by a court after a written finding that the adverse impact to a plaintiff or plaintiffs to the action clearly outweighs the public policy considerations of section 610.011, however, the amount of any moneys paid by, or on behalf of, the public governmental body shall be disclosed; provided, however, in matters involving the exercise of the power of eminent domain, the vote shall be announced or become public immediately following the action on the motion to authorize institution of such a legal action. Legal work product shall be considered a closed record; Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

Other individuals in the closed session: Diane Thompson, County Clerk; Jennifer Powers, County Clerk Chief Deputy; Travis Elliott, Ellis, Ellis, Hammons & Johnson, P.C. (County Legal Counsel).

Tracy Brantner, Johnson County Economic Development Corporation Executive Director joined the meeting at 11:02 a.m.

At 12:59 P.M. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Kavanaugh and seconded by Marr to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

Commissioner Matthews and Commissioner Kavanaugh met with Mary Sisk, Sisk Construction, with concern regarding what looks like rust on the northeast corner of the Courthouse roof. Sisk offered to look at the roof but stated it may be under warranty. Sisk showed historic images of the courthouse. Commissioner Kavanaugh asked if Sisk had any images of the corner statues that used to be on the courthouse.

Commissioner Kavanaugh motioned and Commissioner Marr to approve the Request for Bids: Road Oil documents with the legal notice to be in the Warrensburg Star Journal on March 14, 2023. Motion approved unanimously.

Commissioner Marr and Commissioner Kavanaugh met with Laura Smith, Collector, who submitted Annual Surtax Distribution Summary for collections January 1, 2022 to December 31, 2022 and distributed March 9, 2022.

The Commissioners met with David Carr and Ken Harding regarding Village Lake South and SE 1181<sup>st</sup> Road off of SE 185<sup>th</sup> Road; also present: Diane Thompson, County Clerk; Jennifer Powers, County Clerk Chief Deputy; Gary Bell, Road and Bridge Supervisor; Jimmy Tye, Road and Bridge Assistant.

Subdivision(s), Homeowners Associations (HOA) and Road Payments

Carr stated that the County has not been paying Village Lake South for all roads in Village Lake South HOA. Thompson reviewed the County Commission's March 20, 2007 acceptance of asphalted roads in Village Lake South (SE 185<sup>th</sup> Road beginning at D Highway and proceeding east to SE 1181<sup>st</sup> Road and SE 1181<sup>st</sup> Road proceeding south from SE 185<sup>th</sup> Road to where it cul-de-sac in Village Lake Subdivision) and the county has been paying a gravel reimbursement into an escrow account based on 0.31 miles since 2007 (current balance \$6,897. Carr stated in 2010 Village Lake South Homeowners Association and Village Lake North Homeowners Association filed paperwork to merge the HOA together as Village Lake South Homeowners Association. Carr stated that at that time, the County should have updated the road measurements so that all hard surface road funds for Village Lake North and South should have been distributed to Village Lake South HOA. Powers noted that the Village Lake South survey was recorded on March 4, 2004 and included the aforementioned roads (covenants and restrictions were recorded October 26, 2004). Thompson stated there is no record of the County accepting road(s) in Village Lake North. Powers stated the survey for Village Lake South was recorded March 11, 2005 (covenants and restrictions were recorded March 11, 2005). Powers noted that no documents combining the Village Lake North and Village Lake South were located in the Johnson County Recorder of Deeds and to be considered a single subdivision, it would likely require a new survey to be completed and then recorded. Powers noted the Secretary of State (SOS) has responsibilities for maintaining Missouri businesses, non-profits, for-profits, etc. which is not the same as surveys establishing a subdivision and HOA restrictions and covenants being recorded. Powers noted Village Lake South Homeowners Association, as of December 26, 2018, appears to be in a state of Administrative Dissolution or Revocation for a Non-Profit Corporation with the SOS due to a failure to file a registration report. Carr stated the road sign for SE 1181<sup>st</sup> Road is a green and the County removes snow from the north and south portion of the road, so how are both portions of the road not the county's and therefore included in the distribution? Carr asked if the County would reimburse the lack of payments for the northern portion of NW 1185<sup>th</sup> Road. Commissioner Kavanaugh stated the County would not back pay the gravel reimbursement as Village Lake North was not ever taken over by the County. Carr requested the Road and Bridge Department measure roads and the Commission consider accepting the northern portion of SE 1181<sup>st</sup> Road. Tye stated he will measure the roads and submit the measurements to the Commission and Carr.



(CONTINUED FROM PAGE 44) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**26<sup>th</sup> Day's Proceedings, 9<sup>th</sup> Day of March 2023**

Road Quality and Storm Water Drainage

Carr reviewed stormwater challenges throughout the subdivision. Bell stated he would not have recommended a subdivision to have ever been developed there because the land was too flat and there is not any place for water to fall. Bell stated the roads were developed too low, where they should have been raised up to allow for drainage but it was all developed so flat that drainage is always going to be a problem. Carr stated there are three (3) major low spots and asked how that could be fixed. Bell stated the Road and Bridge Department can shoot the elevations to give the homeowners an idea of what would need to happen to get the water moving. Bell noted a flat bottom ditch could be created to replace the french drain but it is unknown how well it would drain because the ground is so flat and the road were built at ground level instead of being built up. Carr asked about a catch basin on the south of SE 185<sup>th</sup> Road; Bell felt the pipeline could be impacted by the catch basin. Carr asked if the Road and Bridge Department could do the work. Commissioner Marr stated the County is not going to work on private property, only on road right of ways and the work that is needed is not limited to the road right of ways. Carr asked what the County was going to do to fix the drainage issues, since the roads are the County's to maintain. Commissioner Kavanaugh stated the County will not be addressing the drainage issues, as they were created by the subdivision developer, not the County. Harding asked how the HOA can get the roads built up to allow for appropriate drainage? Bell stated the roads would probably need to have the curbs removed and the roads built at a higher elevation but the water is going to have to go somewhere. Bell stated that with the pipelines in the area (along east side of D Highway and SE 185<sup>th</sup> Road), the pipeline will not allow any dirt to be removed from within their right of way. Powers asked for clarification, if the County would be repairing the road and stormwater drainage issues or if that would be done by contractor. Bell clarified, that the County would not be involved in correcting the drainage issues and guesstimated it would cost at least \$75,000 for an outside contractor to raise SE 185<sup>th</sup> Road but the other roads would need to be considered and consideration would need to be had regarding where the water would then go (basements, flooded yards, etc.). Bell noted any solution is going to be expensive and he is not an engineer but an engineer should be consulted to develop a plan. Thompson reviewed that Neighborhood Improvement District (NID) are created per RSMo. 67.453-67.475 and the HOA would need to hire an engineer draw up a plan, cost estimate, maintenance plan for the length of the bond, and bid documents. Thompson reviewed that once the engineer's plan was created, the HOA would need to identify length of bonds, boundary of NID, method of assessments and then all of that information would be shared with the County Clerk's Office, if desired, and they would create the petition. Thompson noted that once the petition was created, it would be circulated by petition carrier(s) to acquire at least two thirds (2/3) real property owners' signatures. Thompson stated that once all notarized petitions were submitted to the County Clerk's Office, the decision would go to the Commission to establish the NID and once the NID is created, the decisions regarding the project become the Commissions, not the property owners (although Johnson County Commission has typically involved property owners as much as possible). Powers noted she will forward contact information for three (3) engineers with which Johnson County has been recently working and an overview of the NID process for their information.

Adjournment was at 4:00 p.m. The next meeting will convene on March 13, 2023.

ATTEST: \_\_\_\_\_

Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

\_\_\_\_\_  
John L. Marr, Eastern Commissioner

\_\_\_\_\_  
Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**27<sup>th</sup> Day's Proceedings, 13<sup>th</sup> Day of March 2023**

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The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners reviewed an invoice from All Pro Electric Technology, Inc. for transformer and breaker change out at the Sheriff's Office and Detention Center in the amount of \$26,990.00.

The Commissioners met with Darrin Tobias for the Emergency Management Agency (EMA) Update; Tobias reviewed the prepared report noting Deputy Director Mac Floyd has completed onboarding and the chainsaw training will be rescheduled. Tobias also noted the recent presentation to Reese School to explain EMA and their request to potentially develop a teen CERT training for students. Tobias reviewed the events of the Evac-Chair training for Courthouse staff. Commissioner Marr stated that the Solid Waste Region F District has scheduled Johnson County's community wide clean up on Saturday, June 17<sup>th</sup> and Sunday, June 18<sup>th</sup>. Tobias stated he will be out of the country during the month of June and will be sad to miss the event but will have volunteers arranged for the event.

The Commissioners reviewed and approved payment of \$26,990.00 to All Pro Electrical Technology for the transformer and breaker change out completed at the Johnson County Sheriff's Office and Detention Center.

The Commissioners met with Diane Thompson, County Clerk, who presented a request from Kiowa Hills and Cherokee Hills homeowners to use \$2,588 escrow account funds toward the 2023 chip and seal project. Thompson reviewed that in November 2001 NW 1891<sup>st</sup> Road in Kiowa Hills was accepted as a county maintained hard surface road with an annual gravel reimbursement beginning 2002, but no reimbursement was issued so a credit of \$1,440.00 was figured in 2005 for the 2002-2005 reimbursements. Thompson reviewed that in 2005 the county made repairs to the hard surface road with any additional funds to be held in the Kiowa Hills Escrow Account Funds and in starting in 2006 the hard surface road gravel reimbursement payments were issued annually. Thompson reviewed that in 2019, property owners asked for the County to put the road back to gravel due to the poor surface road and the county did as requested at no cost in 2019. Kiowa Hills and Cherokee Hills has submitted and the application has been approved for the road to be chip and sealed by County Road and Bridge Department in 2023 (pending all monies are submitted to the County). Thompson presented the Kiowa Hills and Cherokee Hills property owners request to use the escrow funds for the chip and seal project.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to allow Kiowa Hills and Cherokee Hills to use county escrow funds following the application process as is standard practice. Motion approved unanimously.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to execute the notice to proceed for BRO-R051(42) with McClure Engineering, Bridge No. 2870004 on NW 1771<sup>st</sup> Road over South Fork of Blackwater. Motion approved unanimously.

The Commissioners met with Thompson to discuss 122 Hout Street, Warrensburg.

Commissioner Kavanaugh reported contacting the following on Friday, March 10, 2023:

- Dennis Boling to prepare an estimate of the cost to install temporary power to 122 Hout Street.
- ServePro of Lee's Summit (Lacy 816-490-0096) and the price for them to come and prepare an estimate is \$160.00.
- Randy Russell, AssuredPartners (insurance company), about the challenges with 122 Hout Street and Randy is planning to get American Water and County's insurance companies talking together.

Commissioner Kavanaugh noted ServePro of Lee's Summit will be on site March 15, 2023 to prepare an estimate. Thompson reviewed quotes included with the commercial appraisal. Commissioner Kavanaugh noted the work is likely to have been increased due to the excessive water damage from the flooding.

Dennis Boling's electrical recommendations and estimates are as follows:

1. Service Replacement Only – \$34,835.00
2. HVAC Replacement – \$23,675.00
3. Rewiring Electrical – \$88,150.00

Commissioner Matthews stated we need to get the cost information to share with the insurance company so we know what it will cost to bring the building back to the way it was before the water meter burst and flooded the basement. Commissioner Kavanaugh stated that the Commission is gathering information at this point until information is received from the insurance company to find out who is paying for what repairs.

The Commissioners were contacted by Sheriff Scott Munsterman, to approve an out of cycle check for the purchase of three (3) freezers at the price of \$3,300.00 each from Lowe's. Munsterman explained that the February 10, 2023 purchase of three (3) refrigerators from Lowe's for a total amount of \$1,331.28 (on the county credit card) by the Sheriff's Office, was for the wrong item and rejected upon delivery. It was noted that the dates of unprocured purchases will now be shifted to account for the correction:

- after April 4, 2023 up to \$774.24 may be spent
- after April 30, 2023 an additional \$1,325.76 may be spent
- after June 11, 2023 an additional \$9,900.00 may be spent

The Commissioners verbally approved accounts payable in the amount of \$9,900.00 for the requested out of cycle check.

(CONTINUED FROM PAGE 46) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**27<sup>th</sup> Day's Proceedings, 13<sup>th</sup> Day of March 2023**

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The Commissioners met with Rick Frye and Leo Kostas representing Fryeko, Inc., regarding Copper Ridge Subdivision Request to use of American Rescue Plan Act (ARPA) funds for a wastewater project; also present: Diane Thompson, County Clerk; Heather Reynolds, Treasurer; Tracy Brantner, Johnson County Economic Development Corporation Executive Director. Copper Ridge Subdivision is located in Section 30, Township 46 North, Range 25 West on E. Hale Lake Rd. south of Maple Grove Elementary School and adjacent to the Brookside Place Subdivision. The preliminary plat consists of approximately 48.52 acres, which is being subdivided into 150 buildable lots, three tracts, and 10 new streets. Tracts A and B are designated for storm water detention, and Tract C is designated for a subdivision sign. The intent of the proposed development is affordable single-family residential homes. Frye expressed the extensive costs involved with wastewater due to having to run sewer from Ridgeview Drive behind the old Casey's Store, car wash and one residential property. Plat 1 consists of 29 lots and Plat 2 consists of 31 lots, but sewer has to be run to the whole subdivision prior to building. Frye and Kostas anticipate a cost of \$60,000 per lot to the builders with homes with an average sale price of \$275,000 to \$320,000. Frye and Kostas requested the meeting with the Commissioners to discuss possibly applying for County ARPA funds to offset the anticipated cost of \$850,000-\$900,000 for asphalt, curb and gutter and stormwater/sewer infrastructure. That amount may or may not include prevailing wage. Frye noted that Missouri American Water would provide water service at a cost of \$12,000 per lot. Brantner noted the City of Warrensburg would be responsible for calculating the prevailing wage rate since it is their utility. Commissioner Kavanaugh explained that to date, the ARPA wastewater and storm water projects have been a 50/50 split between the entity and the County and asked if they had talked to the City about possible funding since the project is inside the city limits. Frye noted they have met with the City and they are interested in affordable housing. Fryeko has a follow-up meeting with the City Manager this week, they have also met with builders and realtors with a good amount of interest. Frye stated they cannot go above \$60,000 per lot to make the project work. Frye anticipated that all homes would be three-bedroom, two-car garage, some would have walkout basements with the others being slab on grade or crawlspace and all would be in the range of 1,200 to 1,700 square feet. Frye estimates approximately \$550,000 in added residential tax when the subdivision is fully built. Frye noted that if running the sewer lines proves to be cost prohibitive, the project will not move forward. The Commission agreed to meet with Frye and Kostas following their meeting with the City of Warrensburg to determine what the County might be able to contribute.

The Commissioners individually reviewed and approved previous minutes.

Adjournment was at 4:30 p.m. The next meeting will convene on March 14, 2023.

ATTEST: \_\_\_\_\_

Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

\_\_\_\_\_  
Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**28<sup>th</sup> Day's Proceedings, 14<sup>th</sup> Day of March 2023**

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The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners attended the KOKO Radio Broadcast: Johnson County Today; discussion included: sales tax, Courthouse heating ventilation air conditioning, Courthouse entrances, gravel road maintenance, County Commissioner's Association of Missouri training.

The Commissioners met with Jim Schuessler, McClure Engineering, regarding the Justice Center Exterior Lighting, Cameras, Bollards, Secured Doors. Schuessler reviewed the project change from a fencing project to security needs including exterior lighting, cameras, bollards and secured doors based on the Commission's direction due to the retiring of Judge Collins. Schuessler reviewed prepared documents:

- Cameras: Schuessler utilized the County's established relationship with Nightwatch Security for expansion of the existing system to include working cameras that would be directed to the Prosecutor's closet for the recording device. The Commissioners requested Schuessler eliminate the lower northwest camera since it duplicates the images (except the direct area in front of the door) as the upper northwest camera.
- Secured Exterior Doors: Schuessler utilized the County's established relationship with Nightwatch Security for the secured door entry. Schuessler reviewed one door (northwest main level) has an existing system with an outdated key code entry system which requires the code to be changed each time an employee leaves. Schuessler stated a second door (northwest lower level) has outdated hardware with a proximity device reader. Schuessler stated that both of those doors currently have power to them to operate the equipment, it just needs to be updated to the same system. Schuessler stated the door on the southwest side will require additional work (building a wall, replacing the door, running electrical) before the proximity device reader can be installed. The Commissioners requested Schuessler to separate the project so that the construction of the wall / door and electrical wiring would be separate from the proximity device since they are aware that Nightwatch has no desire to do construction. Schuessler will update the drawings and send them next week.
- Exterior Lighting: Schuessler reviewed the plan to remove the inefficient existing four (4) lighting fixtures, install seven (7) new efficient lighting fixtures. Schuessler reviewed difference of the directional light emitting diode (LED) options based on how each type throws the light differently and ideally the parking lot would be reading at a minimum of one (1) candle foot throughout the space. Schuessler explained candle foot measurements. Commissioner Marr stated he was able to see at Burg Fest (October 2022 7:30-9:00 p.m.) without any complications and did not know additional lighting was needed. Schuessler explained the Commission's previous direction was to increase lighting of the walkways and the parking lot on the northwest side of the building. Schuessler offered to bring a light meter in an evening and measure the parking lot's current light reading, which the Commission could attend if so desired.
- Bollards: Schuessler reviewed the bollards layout and explained the bollards would be stainless steel and should last for 25 years; this project is ready to be bid when the Commission desires to proceed.

The Commissioners reviewed and approved the legal notice for Request for Bids: Micro Surface Road Treatment to be posted in the Warrensburg Star Journal on March 17, 2023. Jennifer Powers, County Clerk Deputy, will prepare bid documents for the Commission's review and approval on March 16, 2023.

The Commissioners were informed Cassidy Burwick and Darrin Tobias to discuss the Johnson County Community Cleanup (recycling and waste collection event) would not be feasible Saturday, June 17<sup>th</sup> and Sunday, June 18<sup>th</sup>. Burwick stated resources would be available for the event in September.

Commissioner Kavanaugh reported from the Traveler's Insurance adjuster, Conner Kidd, that American Water may try to call the event an act of God due to the water freezing.

The Commissioners reviewed road measurements from Jimmy Tye, Road and Bridge Assistant:

- Village Lake South – SE 185<sup>th</sup> Road starting at D Highway and proceeding west and then south on SE 1181<sup>st</sup> Road for a total of 1,659 feet or 0.314 of a mile to where it cul-de-sacs.
- Village Lake North – SE 1181<sup>st</sup> Road starting at SE 185<sup>th</sup> Road and proceeding north for a total of 1,215 feet or 0.230 of a mile to where it cul-de-sacs.

The Commissioners noted that if or when the Village Lake North road and drainage was fixed, and the Road and Bridge Department provided a recommendation to the Commission for acceptance, the road would be considered by the Commission to become a county-maintained road but because the road is a hard surface subdivision road, the road would be paid a gravel reimbursement since the county does not maintain hard surface subdivision roads.

*RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT 28<sup>th</sup> Day's Proceedings, 14<sup>th</sup> Day of March 2023 continues on page 49*

**(CONTINUED FROM PAGE 48) RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT  
28<sup>th</sup> Day's Proceedings, 14<sup>th</sup> Day of March 2023**

The Commissioners met with Trudy Faulkner, STRATA Architecture and Preservation, to review Scope of Work for the Johnson County Courthouse Entrances; also present: Diane Thompson, County Clerk; Tracy Brantner, Johnson County Economic Development Corporation Executive Director; Jennifer Powers, County Clerk Chief Deputy. Faulkner reviewed the prepared drawings and plans for demolition and construction on the east two entrances and the west entrance. Faulkner reviewed the following:

**East Entrance:**

- demolition of the east stairs will include the removal of three treads to see if there are any damages to the structure or treads.
- demolition on the east stairway includes the removal of construction debris below so the maintenance staff are not tasked to complete the work and inspection can be done to verify the structure is not failing.
- the bell would be temporarily relocated by the contractor, and suggested the Commission identify a place in the courthouse or on county property where the bell could be secured.
- the interior handrails could be moved to a future project if the Commission so desired.

**Handicap Entrance:**

- potential water drainage issues for the handicapped accessible door due to the lowering of the threshold but when the time comes, STRATA and the Contractor will work together to find a good solution.
- All carpet and wood paneling would come off the walls, handrails would come down, landing and ramp would be concrete instead of wood, baseboard heater would be removed and reinstalled rather than replaced, ceiling would be pushed back eight feet for maximum ceiling height at the entrance and top of ramp.
- A push button and card swipe system would be installed on the interior to allow for true handicap accessibility as well as entry after hours.

**West Entrance:**

- Glass store front, landing and exterior stairs would be removed with decorative side walls remaining in place and protected.
- Salvage original historical tile on the west entrance for replacement repairs to the main east entrance. West entrance will receive new tile that mimics the original.
- Masonry and metal handrail replacement on both east and west entrances with wood handrail on west staircase staying in place.

**Additional general comments:**

Faulkner recommended a mandatory onsite walk through for all potential bidders due to the complexity of the project. Faulkner stated the space under the entry stairs should never be used for storage as it is against fire code. Faulkner recommended the space should not be filled in with gravel to provide access for future inspections and potential repairs. The Commissioners stated they would determine a “laydown area,” with the contractor at a later time due to the unknown requested area size and the unknown impact of county offices. Faulkner confirmed that cost estimates and construction oversight were included in this project agreement with STRATA.

Faulkner noted the entryway project started in fall 2019 and her appreciation of the Commission’s patience for the requested work. Faulkner stated final drawings and cost estimates will be sent next week. Faulkner stated the drawings (based on SHPO approved outlined plans) could be sent to State Historic Preservation Office (SHPO), although not required, for their consideration as an interim step to hopefully smooth out any unexpected issues prior to the work being bid. Brantner noted the benefit to receiving SHPO’s blessing prior to work being done. County staff were tasked to review and verify the project description.

Adjournment was at 4:00 p.m. The next meeting will convene on March 16, 2023.

ATTEST: \_\_\_\_\_  
Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

\_\_\_\_\_  
Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**29<sup>th</sup> Day's Proceedings, 16<sup>th</sup> Day of March 2023**

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The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

Johnson County received check #20027300 from Republic Services, Inc c/o Awin Management c/o Allied Waste Services in the amount of \$11,223.84 which represents the host fee for February 2023 (8,017.03 tons at a rate of \$1.40 per ton) was received on March 13, 2023 from the Show Me Regional Landfill.

The Law Enforcement Tax City Distribution for February 2023 was made by Auditor Chad Davis on March 10, 2023 as follows: Centerview: \$1,406.00; Chilhowee: \$1,857.10; Holden: \$14,169.26; Kingsville: \$1,450.98; Knob Noster: \$13,898.08; Leeton: \$3,494.46; Warrensburg: \$92,243.49. The total distribution was \$128,519.37. The county portion was \$157,079.24.

The Commissioners reviewed and approved accounts payable in the amount of \$372,610.75.

The Commissioners met with Gary Bell, Road and Bridge Supervisor. Bell stated that Delbert Corny purchased an old Capital Materials quarry and has an excess of large 4-inch by 9-inch rock and is willing to sell it for \$8.00 per ton. The Commissioners approved Bell to purchase the rock from Corny.

Commissioner Marr received a phone call from Tom Rodmacher with AA Quarry who stated they are 700 feet down and would like to go further to reach the Burlington Ledge. Rodmacher would like to meet with the Commission to discuss a reduced price on the currently available rock.

The Commissioners met with Melissa Frey, Johnson County Board of Services Director, who stated they are in the process of finishing up their audit and annual report, which will be shared with the Commission. Commissioner Kavanaugh motioned and Commissioner Marr seconded to appoint Amanda Bliss, Sid Tiller, Logan Miller to the Johnson County Board of Services. Motion approved unanimously.

WHEREAS, the Johnson County Board of Services terms for Amanda Bliss expired on December 31, 2022; and, WHEREAS, Amanda Bliss, 36 SE 240th Road, Warrensburg, Missouri, has expressed a desire to serve another three-year term on the Johnson County Board of Services, and, meets the necessary requirements, and, NOW, THEREFORE, the Johnson County Commission hereby reappoints Amanda Bliss to fill another three-year term. The term will be retroactively effective January 1, 2023 and expire on December 31, 2025.

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WHEREAS, the Johnson County Board of Services terms for Sid Tiller expired on December 31, 2022; and, WHEREAS, Sid Tiller, 320 Goodrich Drive, Warrensburg, Missouri, has expressed a desire to serve another three-year term on the Johnson County Board of Services, and, meets the necessary requirements, and, NOW, THEREFORE, the Johnson County Commission hereby reappoints Sid Tiller to fill another three-year term. The term will be retroactively effective January 1, 2023 and expire on December 31, 2025.

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WHEREAS Larry Ficken's term on the Johnson County Board of Services expired December 31, 2022; and, WHEREAS Larry Ficken notified the Johnson County Board of Services on December 31, 2022 that he did not want to serve another term; and, WHEREAS Logan Miller, 578 NW 400th Rd, Centerview, Missouri, has expressed a desire to serve on the Board of Services, and, WHEREAS the Johnson County Commission received notification on February 21, 2023 from the Johnson County Board of Services that Logan Miller, 578 NW 400th Rd, Centerview, Missouri, has expressed a desire to serve on the Board of Services; and, WHEREAS the Johnson County Board of Services stated that Logan Miller meets the necessary requirements, and, NOW, THEREFORE, the Johnson County Commission hereby appoints Logan Miller to a three-year term. The term will be retroactively effective January 1, 2023 and expire on December 31, 2025.

Commissioner Kavanaugh noted talking with Scotty Walker, Trails Regional Library Board President, that the Trails Regional Library Board currently has two Johnson County vacancies with two Johnson County additional members second terms expiring June 30, 2023, and one Lafayette County member's second term expiring June 30, 2023 so the board has reached out to legal counsel about extending or eliminating the term limits to allow for knowledge retention.

Commissioner Marr discussed with Ray Briscoe that the June 17-18, 2023 countywide cleanup, which was arranged with the Region F Solid Waste, is now to be rescheduled at the Emergency Management Agency Director's request to the fall.

The Commissioners hosted the American Rescue Plan Act (ARPA) Public Session with the Recovery Advisory Team Members: Heather Reynolds, Treasurer; Diane Thompson, County Clerk; Tracy Brantner, Johnson County Economic Development Corporation Executive Director. Others present: Ray Briscoe, City of Holden Mayor.

**Reporting** – Brantner noted there are new county reporting procedures, to which Brantner and Reynolds will be meeting to review changes. Brantner stated there are no known reporting changes to Non-entitlement Units of Local Government (NEU) (cities, applicants, etc.) at this time.

**State Opportunities** – Brantner reviewed open available opportunities through the

- Department of Economic Development: Cell Towers, Digital Literacy, Entertainment Industry, Local Tourism Development, Nonprofit, Small Business, Operators of Residential Care / Assisted Living Facilities, Innovative projects to promote Agriculture in Urban/Suburban Communities
- Department of Public Safety: Local Law Enforcement and Public Prosecutors, County Jail Maintenance and Improvement Grant, County Prosecutor and Law Enforcement Sex Crimes against Children
- Child Care Grant Programs: Workforce Innovation Grant, Sustain Child Care Subsidy Operations, Start-up and Expansion

(CONTINUED FROM PAGE 50) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**29<sup>th</sup> Day's Proceedings, 16<sup>th</sup> Day of March 2023**

Brantner stated next month's meeting will include an update from the awarded pre-approved Water Resource Match applications. Brantner reviewed the SAMS number profile reissuing was completed. Commissioner Kavanaugh asked if there was an update from the Copper Ridge Subdivision meeting with Warrensburg. Brantner noted the project is really a city-led project and she is not aware of an update. Brantner noted various challenges (decreased ability to acquire loans, high construction costs, little profit after development) developing affordable housing when discussing the matter with a Kansas City Developer. Reynolds reviewed the opioid lawsuits settlement information is still being sent and forwarded to the county's legal counsel.

The Commissioners met with Diane Thompson, County Clerk and Lisa Treece, Human Resources Director regarding the Workers Compensation Insurance (WCI) Renewal. Treece received the Missouri Rural Services WCI renewal. Treece contacted Missouri Employers Mutual (MEM) and Missouri Association of Counties (MAC) Trust to see if their rates will be lower.

**2023 WCI Renewal** – Treece reviewed the renewal is based on the previous three (3) years and for 2023 the renewal was based on three (3) "high claims years." Treece noted that claims in 2023 (which will impact the 2024 renewal rate) is also a "high claims year."

**2022 WCI Claims** – Treece presented the 2022 claims, noting the "open" claims are designated by highlighting, and some claims end up not being a claim on WCI. Treece noted two workforce areas hold the most claims: Sheriff's Office and Road and Bridge Department.

**2023 WCI Costs** – Thompson noted all budget funds that pay a portion of the WCI premium will need to be amended, with the Sheriff Department, Road, and Bridge Construction funds having the highest increases. Involved office holders should be contacted once we have final numbers.

**Safety Education** – Treece noted the County lost their deviant factor discount of twenty-five percent and that the "mod rate" has increased from 1.07 to 1.41. Treece noted that MO Rural Services was willing to allow a 5% deviant factor if the County created safety committees and began doing training to minimize some of the avoidable accidents going forward. MO Rural Services is willing to provide onsite safety education/trainings to assist the employee committees. Treece stated she is not able to force mandatory attendance at the trainings. Commissioner Kavanaugh stated the Commission could reach out to the Elected Officials and Department Heads to explain the need for safety education.

The Commissioners reviewed and approved the Request for Bids (RFB: Micro Surfacing documents. Powers will send the RFB to known bidders on March 20, 2023.

The Commissioners reviewed and approved interview questions for Building Assessment, Maintenance Plans and On-Call Engineering Services.

The consideration for Request for Bids: On-call Heating, Ventilation, and Air Conditioning (HVAC) System Repair and Maintenance was tabled.

Adjournment was at 4:00 p.m. The next meeting will convene on March 20, 2023.

ATTEST:

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 Diane Thompson, County Clerk

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 Troy A. Matthews, Presiding Commissioner

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 John L. Marr, Eastern Commissioner

\_\_\_\_\_  
 Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**30<sup>th</sup> Day's Proceedings, 20<sup>th</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners met with Gary Bell, Road and Bridge Supervisor, also present Jennifer Powers, County Clerk Chief Deputy. Discussion included Bell's retirement and the Commission's expressed intent to promote Jimmy Tye to position of Supervisor. Bell noted Tye's request for the Supervisor's job to be posted to minimize the question of if Tye was the most qualified for the role. Powers suggested Bell review the current job description on file to make sure it is up-to-date, if the job was going to be posted. The Commissioners approved the Road and Bridge Supervisor job to be posted for one (1) week at the road and bridge department for in-house applicants only.

**Retail Liquor by Drink - Picnic License: Warrensburg Main Street, Teena Simon d/b/a** Warrensburg Main Street at 125 N. Holden Apt C, Warrensburg, MO requested and was granted license to sell retail liquor by drink - picnic at all of a temporary stand at the Johnson County Fairgrounds, 386 NW 145<sup>th</sup> Road, Warrensburg, MO. The license shall be valid for seven (7) days effective: March 22, 2023 and expire March 28, 2023.

RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT 30<sup>th</sup> Day's Proceedings, 20<sup>th</sup> Day of March 2023 is continued on page 52

(CONTINUED FROM PAGE 51) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**30<sup>th</sup> Day's Proceedings, 20<sup>th</sup> Day of March 2023**

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The Commissioners met with Mitch Marquess, for the Maintenance Update; also present: Jennifer Powers, County Clerk Chief Deputy. Discussion included:

- Justice Center Thermostats – Teichman's courtroom thermostat has to be reset twice a day. Marquess requested to bring in an HVAC technician from APEX to look at the issue. The Commissioners stated there has not been any progress on the on-call HVAC. Marquess will request the estimated price for digital thermostat installation and submit those costs to the Commission.
- Courthouse Trees – Iron plugs were installed last week around the pin oak and cedar trees. Commissioner Kavanaugh requested additional iron plugs be purchased and installed around the crabapple and dogwood trees. Soil testing was discussed to verify the corrective action is effective.
- Utility Terrain Vehicles (UTV) – Marquess stated that work is needed on the UTV, so it will go to Swisher's to complete the work under warranty.
- Out of Town – Marquess stated he will be out of town for vacation April 25 – May 5, 2023.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to execute request for notice to proceed for BRO-R051(43) Bridge No. 5970003 on SW 1621<sup>st</sup> Road over Scaly Bark Creek with Anderson Engineering. Motion approved unanimously.

The Commissioners met with Diane Thompson, County Clerk who presented the animal shelter reports and invoice from Warrensburg Animal Rescue. Thompson reviewed the email correspondence regarding the increased invoiced request of \$76,557.50 for February 2023's invoice. The Commissioners, having not made an agreement to increase the monthly allocation, amended the invoice payment to \$40,071.30 and submitted the invoice to the Auditor's office for processing.

The Commissioners met with Aaron Brown, Sheriff Chief Deputy, discussion included the recently installed freezers at the detention center. Also discussed was the recent issue with a detainee who brought Fentanyl into the detention center which was taken by four (4) detainees who overdosed and Sheriff Deputies administered NARCAN (naloxone HCl) Nasal Spray and Cardiopulmonary Resuscitation (CPR). Brown noted that all Sheriff staff are trained on CPR when they are hired and thanks to the quick response of the Sheriff's deputies, opioid overdoses were reversed. Brown noted this was not the first incident with Fentanyl in the detention center. Brown stated the individual that brought the Fentanyl was still receiving medical attention at a hospital. Brown noted Fentanyl's dangerous impact, noting that an overdose still occurred when Fentanyl was in a plastic bag, inside a pocket.

At 9:31 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

Other individuals in the closed session: Aaron Brown, Sheriff Chief Deputy; Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation Executive Director. At 10:04 a.m. having no further business to discuss with regard to the matter before the Commission, a motion was made by Kavanaugh and seconded by Marr to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

The Commissioners individually reviewed and approved previous minutes.

Commissioner Kavanaugh stated ServePro will charge \$2,500.00 to test the building for lead paint, asbestos and mold, but that assessment will be needed to determine the cost to do any work (demolition or repairs) on 122 Hout Street, Warrensburg. The Commissioners agreed to proceed with ServePro testing the building with the understanding the County will pay for the testing with the hopes that insurance will reimburse the County.

The Commissioners met with Gary Bell, Road and Bridge Supervisor, discussion included:

- Road Request – Bell reviewed Tony Martin's request that the County accept a road (recorded as an ingress/egress easement along with a subdivision of six tracts on May 18, 2022) between NW 1251<sup>st</sup> Road and 131 Highway (Section 11, Township 47 North, Range 28 West). Bell noted the dirt roadway is ditched but does not have the gravel base or surface needed to meet county specifications. Bell noted the roadway also is not identified as a road by the Assessor's office. The Commissioners state that if the Assessor's office assigned a road number to the easement, the road sign should be brown in color as the roadway is not to be maintained by the County because it does not meet specifications to be accepted by the Commission.
- NW 800<sup>th</sup> Road and H Highway Property Owner Fence Issue – (previously discussed March 9, 2023) Tony Shackelford has reported the fence is still up and was informed by the Commission that, per legal counsel's direction, the County is going to follow Missouri Department of Transportation's (MoDOT) lead regarding the issue since their expectations are more stringent. Commissioner Matthews has contacted Ben McCabe, MoDOT's Kansas City District Area Engineer, to review and address the matter.

The Commissioners approved wage continuation for a Road and Bridge Department employee.

The Commissioners received correspondence from Gene and Robert Dyer regarding the condition of Bridge M130008 over Post Oak Creek on NW 21<sup>st</sup> Road in Section 11, Township 46 North, Range 26 West which provides access to Dyer's and Smarr's fields. Commissioner Matthews responded that at this time and in the foreseeable future there are no plans to do anything to that bridge as far as maintenance or improvements and Missouri Department of Transportation (MoDOT) set the weight limit for the bridge at three (3) tons.



(CONTINUED FROM PAGE 52) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**30<sup>th</sup> Day's Proceedings, 20<sup>th</sup> Day of March 2023**

Commissioner Kavanaugh contacted Andrew White, White Construction and Welding to request an estimate for a fence around the existing lagoon at the Sheriff's Office and Detention Center. Commissioner Kavanaugh noted the six (6) foot fence would need to be wide enough for a vehicle to drive around the lagoon and include a double gate entrance and an employee walk through entrance.

Adjournment was at 4:00 p.m. The next meeting will convene on March 21, 2023.

ATTEST:

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 Diane Thompson, County Clerk

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 Troy A. Matthews, Presiding Commissioner

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 John L. Marr, Eastern Commissioner

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 Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**31<sup>st</sup> Day's Proceedings, 21<sup>st</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners met with Danielle Dulin, City Manager, and Enrico Villegas, Assistant City Manager, for the City of Warrensburg and Johnson County Monthly Meeting; also present: Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation.

- Copper Ridge Subdivision Request for ARPA Funds – Commissioner Kavanaugh stated that the City of Warrensburg did not request funds from Johnson County with the American Rescue Plan Act – Water Resource Match. Commissioner Kavanaugh stated the county and probably Warrensburg needs better housing at a cost less than \$500,000. Commissioner Marr stated \$270,000 is not the “low-income housing” for Warrensburg but understands the challenge for developers to build a subdivision for low-income households since the profit is not as high. Commissioner Matthews stated it is challenging to warrant the need to give funds to one contractor without offering it to all. Dulin stated she does not speak for the City Council, but her understanding is that work force housing / middle income housing was originally presented \$52,300 median so it could be estimated that a \$160,000 mortgage may be feasible. Dulin was told Copper Ridge homes would likely be around \$300,000, and the developers requested that to be subsidized by the City of Warrensburg. Dulin noted the housing market has not significantly increased since 2020. Dulin stated \$225,000-\$250,000 would be the highest she could consider to be workforce housing and proposed to the developer to have a certain percentage marketing (maybe 50%) that would be marketed to the \$225,000 homeowner. Dulin noted the developer's phase 1 and 2 are the larger lots that could be \$500,000 houses and noted the benefits of having the mixture of values in the same neighborhood. Brantner stated most workforce housing projects are not feasible for the developer because the return on investment (ROI) is so low. Brantner stated that 20% of people in Warrensburg are below the poverty level. Brantner noted the area has likely not been developed due to the long sewer run required. Dulin noted there may be more success if the developers could do the project in phases starting on the east side of the subdivision. Dulin noted the City has 1.57 million in ARPA funds and if the City was going to allocate funds to this (or any) wastewater project then the City would bid and manage that project with an agreement between the developer, City and potentially County. Dulin noted an additional challenge is having 150 lots but only have one (1) route into the subdivision. Dulin noted an optional establishment of a permanent emergency access easement route (would need road upgrades to carry an 80,000-pound fire truck) which could provide access for more than 30-50 homes to be developed. Dulin noted the City's costs to the improvements, specifically along DD Highway. Dulin noted the developers desire to have lots to be ready to be sold (with infrastructure like sewer in place by Fall 2023) in February 2024.

*RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT 31<sup>st</sup> Day's Proceedings, 21<sup>st</sup> Day of March 2023 is continued on page 54*

- Animal Shelter – Commissioner Kavanaugh stated everything is still happening in closed session until a contract is signed.
- Maguire Street Corridor Upgrade Project – Dulin stated that engineer qualifications are being reviewed this week and this project will be designed and built at the same time. Dulin stated that the City has partnered with Missouri Department of Transportation (MoDOT) Kansas City Area Engineer, Ben McCabe, who will be sitting in on the project to hopefully improve grant opportunities. Villegas stated the discovery will likely take the remainder of this year with construction starting the start of 2024.
- Cooper Boulevard Extension – Dulin stated the City will be extending Cooper Boulevard eastward to intersect with Hawthorne Boulevard, using Transportation Development District (TDD) funds this summer. Dulin stated the TDD does not expire until 2025 but the hope is to complete the project before the expiration.
- General Revenue One Percent (1%) Sales Tax, April 4, 2023 Election – Dulin noted the ballot language identifies that one-half (1/2) is designated to public safety (such as fire and law enforcement) and one-half (1/2) designated for general purposes (capital improvements additional staffing, increased compensation and benefits for employees, and infrastructure and capital improvements for the City).
- Marijuana Sales Tax, April 4, 2023 Election – Dulin stated there was an estimate that the dispensary in Warrensburg may generate up to \$154,000 sales tax each year but it is unknown what will actually occur.
- Sedalia City – Dulin noted the recent publication of City of Sedalia's consideration to withdraw payment to Pioneer Trails Regional Planning Commission (PTRPC) because Sedalia felt that many of their requests were being ignored and the City was not getting it's money's worth. Dulin noted that a withdrawal from PTRPC could minimize the opportunity to submit projects to MoDOT, or lost opportunity to submit for federal grants.
- Sales Tax Revenues – Dulin stated the city has not seen increases that some communities have seen. Dulin stated that some of the bills for sales tax exemptions at the State level this legislative session will significantly impact the City of Warrensburg's tax income in a negative manner and would likely negate the one cent sales tax increase, if it was approved by voters on April 4, 2023. Dulin stated the City would likely be looking at significant layoffs if tax revenue does not increase.

The transfer of funds for payroll of County Officials and employees for the period March 4, 2023 through March 17, 2023 was approved from County funds in the following amounts: County Revenue: \$67,840.57; Road and Bridge Department: \$47,029.78; Assessment: \$16,819.82; Bridge Construction: \$25,820.80; Juvenile Officers: \$5,465.97; Prosecuting Attorney: \$28,152.57; MoSMART Sal Supplement: \$323.05; Recovery Court – SAMHSA Grant: \$0.00; Commission Administrative: \$0.00; Sheriff: \$75,760.29; Jail: \$79,449.11; P.A. Child Support IV D: \$2,248.82; P.A. VOCA Grant: \$1,846.15; Grand Total: \$350,756.93.

The Commissioners met with Scott Peterson, City Administrator, for the City of Knob Noster and Johnson County Monthly Update. Peterson stated they are working on marketing and recently changed legal counsel to Harris, Harris, and Sommer.

- Washington Street Bridge – Commissioner Marr stated he would talk with Road and Bridge Supervisor, Gary Bell, regarding ownership of Washington Street bridge because the City is going to grind and overlay the street.
- Asphalt Crack Filler – Commissioner Marr stated he has also not discuss Knob Noster's request to borrow the asphalt crack filler machine with Bell.
- American Rescue Plan Act (ARPA) – Water Resource Match Project – Peterson stated they are struggling with the right project for the approved wastewater Sewer project County ARPA funds, CC TV the sewer lines \$2.00/foot with estimated 90,000 feet. They don't know where to start. Engineer estimates 90% of the sewer lines (not including the newer subdivisions). The Commissioners did not see any reason to hold up the needed project but will need to be approved after
- Right of way – Peterson stated right of way crews in Knob Noster have been working after the requested time which causes challenges when lines are hit after hours and staff are required to come in after hours to fix the lines. The Commissioners noted the
- Hoping to have a transient occupancy tax (hotel, motel, air b and b's) but it requires the house of Representatives and senate to pass a bill first.
- Road Transfers – Commissioner Marr stated the county's legal counsel is tasked to work on the agreement. Powers noted the legal counsel is waiting for some clarification to ownership of the roads and if the roads are within Knob Noster city limits. Peterson stated that previous decisions for areas to be accepted into the city limits has not been consistent, nor were the procedures to have all annexations recorded at the Johnson County Recorder of Deeds office. Peterson noted that the annexation process is something he has worked to improve but past actions will require significant research to confirm or complete.

The Commissioners met with Gary Bell, Road and Bridge Supervisor. Bell stated the Road and Bridge Department did not have a pull behind crack sealer but the county did let Knob Noster borrow an air compressor last year. Bell stated the City of Knob Noster rented the pull behind crack sealer last year.

(CONTINUED FROM PAGE 54) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**31<sup>st</sup> Day's Proceedings, 21<sup>st</sup> Day of March 2023**

The Commissioners met at RISE Center for Growth, 501 N Ridgeview Dr, Warrensburg to share the Proclamation by the Johnson County Commission of the State of Missouri establishing March 21, 2023 as Down Syndrome Day; also present: Diane Thompson, County Clerk.

WHEREAS, Down syndrome is a genetic disorder which alters the course of development and causes characteristic physical traits; and, WHEREAS, Down syndrome occurs when abnormal cell division results in extra genetic material, such as a full or partial extra copy of chromosome twenty-one; and, WHEREAS, approximately 1 in every 800 children are born with Down syndrome, representing an estimated 6,000 births per year in the United States; and, WHEREAS, there are over 400,000 individuals living with Down syndrome in the United States; and, WHEREAS, it is estimated that 19 people live with Down syndrome in Johnson County, Missouri ranging in different levels of severity; and, WHEREAS, approximately 9 people live with Down syndrome in Warrensburg, Missouri; and, WHEREAS, while research and early intervention have resulted in dramatic improvements to the life span and potential of those who are affected, more investigation is needed into the causes and treatment of Down syndrome; and, WHEREAS, possessing a wide range of abilities, people with Down syndrome are active participants in educational, occupational, social and recreational circles of our community; and, WHEREAS, on December 19, 2011, the United Nations General Assembly declared March 21<sup>st</sup> as World Down Syndrome Day; and, WHEREAS, Down Syndrome Day is an opportunity to enhance public education and awareness about Down syndrome; NOW, THEREFORE, the Johnson County Commission, does hereby recognize March 21, 2023, as WORLD DOWN SYNDROME DAY and encourages our citizens to work together to promote respect and inclusion of individuals with Down syndrome and to celebrate their accomplishments and contributions. The theme for 2023 is "With Us Not For Us".

Adjournment was at 4:00 p.m. The next meeting will convene on March 23, 2023.

ATTEST:

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Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

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Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**32<sup>nd</sup> Day's Proceedings, 23<sup>rd</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners reviewed and approved accounts payable in the amount of \$278,142.06.

The Commissioners met with Diane Thompson, County Clerk; and Lisa Treece, Human Resources Director regarding Worker's Compensation Insurance (WCI) Premium Update. Treece noted that, after comparing the cost savings of \$6,000 to switch to MAC Trust Work Comp doesn't justify leaving Missouri Rural Services. Johnson County is a charter member of MO Rural Services. If we lost our coverage through MAC Trust we would have to wait two years to be accepted back into MO Rural Services. Our only other option would be a high claims pool that would cost considerably more. Thompson noted that an elected officials meeting is scheduled for March 28<sup>th</sup> to provide information to all departments.

At 10:31 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried. Other individuals in the closed session: Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation Executive Director.

At 12:03 p.m. having not finished the discussion and due to a scheduled meeting off site, Commissioner Kavanaugh motioned to suspend the closed session until 1:30 p.m. when the group will reconvene. The motion was seconded by Commissioner Marr. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

At 1:33 p.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to reconvene the close meeting pursuant to the Pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

Other individuals in the closed session: Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation Executive Director.

At 2:29 p.m. having no further business to discuss with regard to the matter before the Commission, a motion was made by Marr and seconded by Kavanaugh to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

The Commissioners met with Capital Materials representatives at Rib Crib; the meeting was for discussion purposes only and no decisions were made.

Commissioner Matthews attended the Johnson County Economic Development Corporation Board of Directors meeting in the third-floor conference room.

Adjournment was at 4:00 p.m. The next meeting will convene on March 27, 2023.

ATTEST:

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Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

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Charles Kavanaugh, Western Commissioner

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**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**33<sup>rd</sup> Day's Proceedings, 27<sup>th</sup> Day of March 2023**

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The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners met with Gary Bell, who presented two applications for Road and Bridge Supervisor.

**Retail Liquor by Drink Caterer Liquor Temporary License**

**C.R. Tobacco** d/b/a Weston Tobacco, 357 Main Street, Weston, MO requested and was granted license to sell temporary retail liquor by drink caterer for a period of ten (10) days from March 25, 2023 at a temporary concession stand and designated concession area at MKI Pavilion at 107 Ming Street, Warrensburg, MO. The license shall expire April 3, 2023.

The Commissioners met with Cassidy Burwick for the Emergency Management Agency Update. Burwick reviewed that the teen CERT is coming to a close and they are gearing up for a disaster exercise (tornado) to utilize the skills they have learned.

The Commissioners met with Mary Lutjen for the Custodial Update. Lutjen thanked the Commissioners for allowing her to order new cleaning supplies. Lutjen reported the new hire completed a week of training and is working well. Lutjen requested an employee handbook and stated that Human Resources has refused to provide a handbook because they do not have an updated version. Commissioner Kavanaugh stated that every employee should be given a handbook when they are hired. Lutjen requested Thursday off due to appointments. Commissioner Marr said that Lutjen could notify Jennifer Powers that she will be out of the office to update the Commissioners calendar.

Commissioner Kavanaugh took a phone call from Travelers Insurance regarding 122 Hout Street.

At 9:29 a.m. in the Commissioners' Chambers, located on the 2nd Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried. Other individuals in this portion of the closed session: Jennifer Powers, County Clerk Chief Deputy; Jim Schuessler and Paul Osborne, McClure Engineering; Mike Raaf PKMR Engineers; Douglas Boe, WSKF Architects.

Commissioner Kavanaugh motioned and Commissioner Marr seconded to suspend the closed session at 10:35 a.m. until 11:00 a.m. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

At 10:56 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to commence the closed the meeting pursuant to the section above. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

Other individuals in this portion of the closed session: Jennifer Powers, County Clerk Chief Deputy;

At 12:01 p.m. having no further business to discuss with regard to the matter before the Commission, a motion was made by Kavanaugh and seconded by Marr to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

(CONTINUED FROM PAGE 56) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**33<sup>rd</sup> Day's Proceedings, 27<sup>th</sup> Day of March 2023**

Thompson reported receiving a call and email correspondence from Peter Muzik Travelers Insurance's Representative for Missouri American Water. Thompson stated MO American Water's insurance won't cover the damage to 122 Hout St as the frozen water main is considered an Act of God. Thompson also noted that Connor Kidd, Traveler's Claims Adjuster for the County's insurance also reached out via phone to inform her that the County's insurance policy won't cover the damages because the building has been uninhabited for more than 60 days. Thompson stated she would forward all information to the Randy Russell, Assured Partners, for follow-up on how to proceed with the damage to the Hout St building.

The Commissioners reviewed and approved the following Right of Way for Public Water Supply District #3 with the district doing the work begin on March 28, 2023 and end March 28, 2023 with work to include plowing or boring underground to install new water meter:

- 2023-029 | SE 600<sup>th</sup> Road; approx. 1,512 feet east of SE 321<sup>st</sup> Road; SE 600<sup>th</sup> Road will be closed between SE 251 and SE 321 Roads

The Commissioners individually reviewed and approved previous minutes.

Adjournment was at 4:00 p.m. The next meeting will convene on March 28, 2023.

ATTEST: \_\_\_\_\_  
 Diane Thompson, County Clerk

\_\_\_\_\_  
 Troy A. Matthews, Presiding Commissioner

\_\_\_\_\_  
 John L. Marr, Eastern Commissioner

\_\_\_\_\_  
 Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT**  
**34<sup>th</sup> Day's Proceedings, 28<sup>th</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

At 8:29 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried. Other individuals in the closed session: Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation Executive Director.

At 8.46 a.m. having no further business to discuss with regard to the matter before the Commission, a motion was made by Marr and seconded by Kavanaugh to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

The Commissioners met with Bryan Jacobs, WAR President; and Bobbie Yeo, Old Drum Animal Shelter (ODAS) Executive Director for the Warrensburg Animal Rescue (WAR) Monthly Update. Also present: Jennifer Powers, Chief Deputy County Clerk. Sandra Streit and Taylor Hupe, WAR Board Members, attended the meeting by zoom. Yeo reviewed the prepared reports noting animal transport to Wayside Waiffs has increased. Yeo reviewed high reaction animals are often sent to Wayside Waiffs, as their staff are trained and have a program to help the animals. Yeo noted a volunteer, who is working to obtain a dog training license, is working with shelter animals to gain experience. Yeo noted smaller dogs are likely to be adopted sooner at ODAS, but noted that most of the dogs surrendered is due to training or personality challenges experienced by the previous owner. Jacobs stated before WAR took over the shelter operations, business' used to sponsor advertisement in the newspaper featuring available animals. Jacobs stated most of the adoption responses are coming through petfinder.com or social media. Yeo stated ODAS is at occupancy. Yeo noted working through a situation where two (2) dogs had gotten into a chicken coop, which could have been a volatile situation. Yeo noted the dogs were pets and the owners, when notified, were very apologetic stating their willingness to pay for the lost animals and damage. Yeo noted a separate situation where a dog was shot in the head and ODAS is holding the animal until law enforcement order changes. Yeo noted that ODAS was notified that Warrensburg Police Department is no longer willing to put animals in their police vehicle. Yeo noted potential challenges in the event of a seized since WAR cannot enter someone's property to obtain an animal. Yeo noted current procedure is to consider stray animals the priority over owner surrenders, which is challenging to explain to someone who feels the need to surrender their animal. Yeo stated ODAS tries to provide resources or guidance, as time allows. Yeo stated ODAS receives frequent requests for donated food, so WAR is looking at requesting another Chewy.com donation when a storage location is identified to store approximately 26 pallets for up to two (2) months. Jacobs stated the shipment could be various types of dog/cat/rabbit/lizard foods, animal steps/toys, etc. but when the shipment is received it takes a great deal of time and effort to organize, inventory and distribute the supplies.

(CONTINUED FROM PAGE 57) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT  
34<sup>th</sup> Day's Proceedings, 28<sup>th</sup> Day of March 2023**

Yeo noted working towards a Wayside Waiffs transport on Sunday, but Wayside Waiffs seem to be particular about the dogs they take. Yeo stated the shelter is now taking cats with limited space due to needed upgrade to the kennels. Yeo noted two (2) ODAS staff recently left. Yeo stated ODAS is still having a challenge with mice, noting efforts to capture the mice without using chemicals that could impact shelter animals. Streit asked the Commission if they were going to pay the invoiced amount or if they were going to have the shelter close ODAS effective April 1, 2023. The Commissioners noted those conversations are taking place within the Commission's closed sessions and considered confidential, until such time a contract is signed.

Commissioner Marr attended the Hazardous Mitigation Planning Committee - Worksheet Scoring at the Emergency Management Agency at 263 SE 13 Highway, Warrensburg.

The Commissioners, Diane Thompson, County Clerk and Lisa Treece, Human Resources Director, hosted a Workers Compensation Insurance (WCI) Claims and Premiums discussion with elected officials and department heads. Also present: Scott Munsterman, Sheriff; Stormy Taylor, Recorder; Gary Bell, Road and Bridge Supervisor; Jimmy Tye, Road and Bridge Assistant Supervisor; Mary Lutjen, Custodian Supervisor; Cassidy Burwick, Emergency Management Agency Director; Rob Russell, Prosecuting Attorney joined the meeting at 1:46 PM. Thompson presented those in attendance with a copy of the WCI premium increases broken out by fund. Thompson explained that an additional bill will be received in May or June based on the actual increase in payroll from the fiscal year (FY) 2021/22 to FY 2022/23. Thompson noted that Treece had reached out to other WCI providers to see if there was an opportunity to lower costs by changing insurance companies, but the minimal cost savings did not warrant the effort to move. Thompson noted the current provider, Missouri Rural Services, offered to provide training materials and assist with any efforts the county undertakes to reduce claims going forward. Munsterman noted that the Sheriff's Department has a manual they use, but it might not contain the right information in this situation. Commissioner Kavanaugh stated the County will provide any safety equipment that is not currently available or is broken. Bell noted the Road and Bridge Department has gloves, goggles and ear plugs. Commissioner Marr asked if it was possible to cut down on the claims. It was noted that some could not be avoided but others could, such as the slip and falls or trip and falls could be prevented by employees paying more attention to their surroundings. Treece will work with the different departments to set up safety committees and Russ Vanness, Vice President of Safety and Loss Prevention, will be available to assist with any training needs.

The Closed Session: Pursuant to RSMo. 610.021 (11) Specifications for competitive bidding, until either the specifications are officially approved by the public governmental body or the specifications are published for bid; did not occur and has been tabled to a later date.

Bids for Johnson County Road Oils were opened at 2:30 p.m. on March 28, 2023 as advertised. The following bids were received:

Company Name	Asphalt and Fuel Supply, LLC	Costal Energy Corp. Willow Springs MO	Vance Brothers, Inc. Kansas City MO	APAC - Central, Inc. Springfield MO
2.6 A MC 30 (per gallon)	\$3.75 delivered based on 5,500 gallon truckload	\$3.54	\$3.83	\$3.49 Freight to Johnson County included
2.6 B EA 300 (per gallon)	-	\$3.03	\$2.78	No Bid
2.6 C CRS-2 (per gallon)	-	\$2.24	\$2.38	No Bid
2.6 D Asphalt Emulsified Prime (per gallon)	-	\$2.15	\$2.73	No Bid
2.6 E Pump-off Charge	-	\$125.00	\$75.00	\$75.00
2.6 F Hourly Unload Rate	-	\$100.00 per hour after two hours	\$70.00	\$75.00 after the first 2.0 hours
2.6 G Restocking Fee**	-	N/A	\$0.00	\$0.50 / gallon
2.6 H Freight Charge	-	\$1,065.00 for loads returned in route	\$0.08 included in above pricing	\$0.00 included in cost per gallon
2.6 I Short Freight Load (number of gallons)	-	5,500 \$800.00 charge for loads less than 5,500	5,500 gallons, loads less than 5500 gallons will be charged freight at \$440.00	5,500

Those present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; Jennifer Powers, County Clerk Chief Deputy. Commissioner Marr motioned to take the Road Oils bids under advisement. Commissioner Kavanaugh seconded. Motion approved unanimously.

**(CONTINUED FROM PAGE 58) RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT  
34<sup>th</sup> Day's Proceedings, 28<sup>th</sup> Day of March 2023**

The Commissioners met with Tracy Brantner, Executive Director, for the Johnson County Economic Development Corporation (JCEDC) Monthly Update. Brantner noted JCEDC's efforts to make Brady Commerce Park a "certified site" (signifying the site has been pre-qualified through a standardization process to meet the requirements of industry) to be considered by future businesses to come to Johnson County MO. Brantner reviewed Weldon Brady's request for Brady Commerce Park to be overseen by Randy Russell and Vicki McDonald and their involvement in the development of site plans recently prepared by McClure Engineering. Brantner reviewed the two (2) concepts prepared noting the preference of concept two since less costs are involvement for the roadway. Brantner reviewed the importance of planned items: Open Space: Wetland and water conveyance through wetlands to Bear Creek (water management is especially important since some of the park is in a floodplain), conservation area, trail, trail head, shared-use path. Land Use: flex light-industrial/industrial development, multi-family residential (desired to have workforce housing near the industry), commercial and retail. Brantner reviewed the next steps for Brady Commerce Park: remove the lake and compact the land; complete the environmental assessment and geotechnical survey in the northern section. Commissioner Matthews expressed concern with the limited parking for the new buildings, especially in consideration of existing parking for Dollar Tree Distribution Center. Brantner stated JCEDC will start advertising for a small business coordinator soon. Brantner noted she was given the Sheriff's American Rescue Plan Act (ARPA) grant with the request for review. Commissioner Kavanaugh asked Brantner had any thoughts about gaining Commercial Driver License (CDL) drivers. Brantner noted that State Fair Community College, Amy Jackson, received a grant and has a mobile simulator; and may be willing to present the information.

Commissioner Kavanaugh attended the University of Missouri Extension Council Meeting.

Adjournment was at 4:00 p.m. The next meeting will convene on March 30, 2023.

ATTEST:

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Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

\_\_\_\_\_  
Charles Kavanaugh, Western Commissioner

**RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT  
35<sup>th</sup> Day's Proceedings, 30<sup>th</sup> Day of March 2023**

The Honorable Johnson County Commission met this day pursuant to adjournment. Present: Troy Matthews, Presiding Commissioner; John Marr, Eastern Commissioner; Charles Kavanaugh, Western Commissioner; and Diane Thompson, County Clerk. Additional public access made available via Zoom Meeting with the following details: Telephone Number: 312-626-6799 | Meeting ID: 828 0899 7149 | Passcode: 266225 The following proceedings were had to-wit:

The Commissioners reviewed accounts payable and held out the Warrensburg Animal Rescue (WAR) invoice in the amount of \$36,743.24 for discussion. The Commissioners approved accounts payable in the amount of \$587,079.49.

The Commissioners met with Randy Russell, AssuredPartners (County's property and liability insurance broker), regarding 122 Hout Street, Warrensburg MO. Russell reviewed his understanding of Missouri American Water's (MAW) insurance current stance: that the flooding in 122 Hout Street, Warrensburg was due to poor building management by the County with below freezing temperatures. Commissioner Kavanaugh noted the MAW's admittance of multiple water meter installation problems and multiple water meters failing. Russell advised the Commission to attempt to dry the building, which will require the Commission to install temporary power to the building. Commissioner Kavanaugh motioned and Commissioner Marr seconded to approve Dennis Boling to install temporary power with six (6) ground fault interrupters (GFI) plugs at 122 Hout Street, Warrensburg for the purpose of drying out the building from the water meter failure, for the amount of \$2,900.00. Motion approved unanimously. The Commissioners notified Mitch Marquess, Maintenance Supervisor, of the approved work and requested quotes be obtained to rent the needed fans and dehumidifier (rental and purchase) to help dry the area. Commissioner Kavanaugh stated Marquess needed to keep track of funds spent on drying out 122 Hout Street, so reimbursement can be made by the insurance company.

*RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT 35<sup>th</sup> Day's Proceedings, 30<sup>th</sup> Day of March 2023 is continued on page 60*

At 8:29 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to Section 610.021 of the Revised Statutes of Missouri relating to Section (3) Hiring, firing, disciplining or promoting of particular employees by a public governmental body when personal information about the employee is discussed or recorded. (12) Sealed bids and related documents, until the bids are opened; and sealed proposals and related documents or any documents related to a negotiated contract until a contract is executed, or all proposals are rejected. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

Other individuals in the closed session: Jennifer Powers, County Clerk Chief Deputy; Tracy Brantner, Johnson County Economic Development Corporation Executive Director.

Commissioner Marr motioned and Commissioner Kavanaugh seconded to decline the Warrensburg Animal Rescue invoice in the amount of \$36,743.24 and pay Warrensburg Animal Rescue a one-time advance of \$30,000 to be subtracted from the contracted amount in the 2023 Animal Shelter Operations Agreement. Roll Call Vote: Matthews: YEA; Marr: YEA; Kavanaugh: YEA. Motion approved unanimously.

COMMISSION ORDER: 2023 Warrensburg Animal Rescue Advance Payment

WHEREAS, Johnson County Commission received some shelter reports from Warrensburg Animal Rescue on March 13, 2023 for February 2023 and financial reports with an invoice in the amount of \$76,557.50 on March 17, 2023; and WHEREAS, the current agreement between Johnson County Commission and Warrensburg Animal Rescue is for a monthly fee of \$40,071.30; and WHEREAS, Johnson County Commission paid Warrensburg Animal Rescue \$40,071.30 on March 23, 2023; and WHEREAS, Johnson County Commission received a request for advance payment to Warrensburg Animal Rescue in the amount of \$36,743.24 on March 29, 2023; and WHEREAS, Johnson County Commission requested Warrensburg Animal Rescue provide Cash Flow Statement (to identify the operational funding gap) through the end of April 2023 with all Unrestricted Fundraising monies transferred to your Business Checking (operating) account on March 28, 2023; and NOW, THEREFORE, having reviewed and carefully considered all information received, the Johnson County Commission hereby approves an advance payment of \$30,000.00 to Warrensburg Animal Rescue and authorizes the Auditor to make the payment accordingly.

Brantner left the meeting at 8:46 a.m.

At 8:46 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to suspend the meeting until 9:00 a.m. pursuant to the section above. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

At 9:13 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to the sections above. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried. Other individuals in this portion of the closed session: Jennifer Powers.

At 9:19 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to suspend the closed meeting until 9:30 a.m. pursuant to the section above. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.

At 9:38 a.m. in the Commissioners' Chambers, located on the 2<sup>nd</sup> Floor of the Johnson County Courthouse, a motion was made by Marr and seconded by Kavanaugh to close the meeting pursuant to the sections above. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried. Other individuals in this portion of the closed session: Jennifer Powers and Tracy Brantner.

At 10:08 a.m. having no further business to discuss with regard to the matter before the Commission, a motion was made by Marr and seconded by Kavanaugh to adjourn the closed portion of the meeting and proceed with the open meeting. Roll was called on the motion and the members voted as follows: "YEA" Matthews, Marr, Kavanaugh. "ABSTAIN" None. "NAY" None. Motion carried.



(CONTINUED FROM PAGE 60) **RECORD OF THE JANUARY TERM OF THE JOHNSON COUNTY COURT  
35<sup>th</sup> Day's Proceedings, 30<sup>th</sup> Day of March 2023**

The Commissioners met to consider the bids received for Road Oils; also present: Jennifer Powers, County Clerk Chief Deputy; Gary Bell, Road and Bridge Supervisor; Jimmy Tye, Road and Bridge Assistant Supervisor. Bids for Road Oils were opened at 2:30 p.m. on March 28, 2023 as advertised. Bids were received from: Asphalt and Fuel Supply, LLC, Tulsa OK; Costal Energy Corp., Willow Springs MO; Vance Brothers, Inc., Kansas City MO; and APAC - Central, Inc., Springfield MO. The Commissioners took the bids under advisement on March 28, 2023. The Commissioners reviewed the Bid Tabulation.

Company Name	Company Location	Asphalt and Fuel Supply, LLC	Costal Energy Corp.	Vance Brothers, Inc.	APAC - Central, Inc.
		Tulsa OK	Willow Springs MO	Kansas City MO	Springfield MO
2.6 A	MC 30 (per gallon)	\$3.75 delivered based on 5,500 gallon truckload	\$3.54	\$3.83	\$3.49 Freight to Johnson County included
2.6 B	EA 300 (per gallon)	-	\$3.03	\$2.78	No Bid
2.6 C	CRS-2 (per gallon)	-	\$2.24	\$2.38	No Bid
2.6 D	Asphalt Emulsified Prime (per gallon)	-	\$2.15	\$2.73	No Bid
2.6 E	Pump-off Charge	-	\$125.00	\$75.00	\$75.00
2.6 F	Hourly Unload Rate	-	\$100.00 per hour after two hours	\$70.00	\$75.00 after the first 2.0 hours
2.6 G	Restocking Fee**	-	N/A	\$0.00	\$0.50 /gallon
2.6 H	Freight Charge	-	\$1,065.00 for loads returned in route	\$0.08 included in above pricing	\$0.00 included in cost per gallon
2.6 I	Short Freight Load (number of gallons)	-	5,500 \$800.00 charge for loads less than 5,500	5,500 gallons, loads less than 5500 gallons will be charged freight at \$440.00	5,500

Commissioner Marr noted that Asphalt and Fuel Supply, LLC and APAC – Central Inc. did not bid on all items. Tye stated there is no current plan to use EA 3000 this year. The Commissioners asked for the Road and Bridge Department’s recommendation. Bell stated consideration should include the cost of the material and potential additional charges if the vendor sends their loads the night before which could mean additional costs for return loads. Tye stated there is a convenience of being able to drive to a local vendor to get a short load that would allow the project to be completed.

Having considered the bids and the Road and Bridge Department’s recommendation, Commissioner Kavanaugh motioned and Commissioner Marr seconded to award the road oils bid to Vance Brothers, Inc., Kansas City MO with the following prices:

MC 30	\$3.83 per gallon
EA 300	\$2.78 per gallon
CRS-2	\$2.38 per gallon
Asphalt Emulsified Prime	\$2.73 per gallon
Pump-off Charge	\$75.00
Hourly Unload Rate	\$70.00
Restocking Fee**	\$0.00
Freight Charge	\$0.08 included in above pricing
Short Freight Load	5,500 gallons, loads less than 5500 gallons will be charged freight at \$440.00

\*\* In the event of a rainout or a cancellation while enroute due to a rainout, equipment breakdown, etc. Motion approved unanimously.

The Commissioners signed the Agreement for Road Oils with Vance Brothers Inc., Kansas City, Missouri. Tye stated he would send updated hard surface road projects costs to Powers so property owners can be notified to make plans for payments to be made by April 30, 2023:

- NW 451<sup>st</sup> Road (Oak Creek) – From Division Road to cul-de-sac
- SE 900<sup>th</sup> Road – From SE 201<sup>st</sup> Road to SE 251<sup>st</sup> Road
- NW 1891<sup>st</sup> Road (Kiowa and Cherokee Hills) – From NW 550<sup>th</sup> Road to cul-de-sac

Commissioner Matthews and Commissioner Marr approved a wage continuation extension for one road and bridge employee and a new wage continuation for a road and bridge employee.

Adjournment was at 4:30 p.m. The next meeting will convene on April 3, 2023.

ATTEST: \_\_\_\_\_  
Diane Thompson, County Clerk

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Troy A. Matthews, Presiding Commissioner

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John L. Marr, Eastern Commissioner

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Charles Kavanaugh, Western Commissioner

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