

THE JANUARY TERM HELD ON THE 10th DAY OF JANUARY 2023

The County Commission convened at 11:00 a.m., pursuant to adjournment on January 9, 2023. Present: Joseph Kaimann, Presiding Commissioner; Mike Mueller, Associate Commissioner District 1; Matt Bass, Associate Commissioner District 2; and Taylor Flynn, Deputy Clerk. The following proceedings were held:

Invocation given by Commissioner Bass.

New/Unfinished Business

- The following petition was read aloud to change the course of a public road with a partial vacation and relocation of Glacial Sands Road, located in Monroe Township:
"PARTIAL VACATION OF RELOCATED GLACIAL SAND ROAD"
A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 1 AND PART OF FRACTIONAL SECTION 12, TOWNSHIP 48 NORTH, RANGE 2 EAST, LINCOLN COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
*COMMENCING AT THE NORTHWEST CORNER OF PROPERTY CONVEYED TO FOWL PLAY FARMS, LLC ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 1145 PAGE 137 OF THE LINCOLN COUNTY RECORDS; SAID POINT ALSO BEING IN THE NORTH LINE OF PROPERTY CONVEYED TO KIMATERIALS INC. ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 2472 PAGE 431 OF SAID RECORDS; THENCE ALONG SAID NORTH LINE OF KIMATERIALS, NORTH 84 DEGREES 22 MINUTES 54 SECONDS WEST 4112.14 FEET TO A POINT IN THE DIRECT NORTHWARDLY PROLONGATION OF THE EAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD (60 FEET WIDE), AS SHOWN ON A SURVEY PREPARED BY ST. CHARLES ENGINEERING AND SURVEYING AND DATED SEPTEMBER 26, 2000; THENCE SOUTHWARDLY ALONG SAID DIRECT NORTHWARDLY PROLONGATION OF THE EAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD, SOUTH 07 DEGREES 32 MINUTES 46 SECONDS WEST 30.02 FEET TO THE ACTUAL POINT OF BEGINNING OF THE DESCRIPTION HEREIN; THENCE CONTINUING ALONG SAID DIRECT NORTHWARDLY PROLONGATION OF THE EAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD AND ALONG THE EAST RIGHT OF WAY LINE THEREOF THE FOLLOWING COURSES AND DISTANCES: SOUTH 07 DEGREES 32 MINUTES 44 SECONDS WEST 4439.34 FEET; AND ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 82 DEGREES 27 MINUTES 16 SECONDS WEST 205.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 181.45 FEET; THENCE LEAVING SAID EAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD (60 FEET WIDE), NORTH 75 DEGREES 57 MINUTES 48 SECONDS WEST 122.79 FEET TO THE EAST RIGHT OF WAY LINE OF SAID RELOCATED GLACIAL SAND ROAD (60 FEET WIDE); THENCE NORTHWARDLY ALONG SAID EAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD THE FOLLOWING COURSES AND DISTANCES: ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 04 DEGREES 27 MINUTES 43 SECONDS EAST 145.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 219.96 FEET; NORTH 07 DEGREES 32 MINUTES 44 SECONDS EAST 4046.70 FEET; ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 82 DEGREES 27 MINUTES 16 SECONDS WEST 165.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 211.06 FEET; ALONG A REVERSE CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 24 DEGREES 15 MINUTES 18 SECONDS EAST 235.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 298.52 FEET TO THE SOUTH LINE OF A PRIVATE ROADWAY (30 FEET WIDE), AS SHOWN IN THE INSTRUMENT RECORDED IN PLAT BOOK 2 PAGE 62 OF SAID RECORDS; THENCE ALONG SAID SOUTH LINE OF A PRIVATE ROADWAY (30 FEET WIDE) SOUTH 84 DEGREES 22 MINUTES 54 SECONDS EAST 345.18 FEET TO THE POINT OF BEARING AND CONTAINING 7.750 ACRES, ACCORDING TO A CALCULATIONS BY BAX ENGINEERING COMPANY DURING NOVEMBER, 2022.
"DEDICATION OF NEW RELOCATED GLACIAL SAND ROAD"
A TRACT OF LAND BEING PART OF FRACTIONAL SECTION 1 AND PART OF FRACTIONAL SECTION 12, TOWNSHIP 48 NORTH, RANGE 2 EAST, LINCOLN COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
*COMMENCING AT THE NORTHWEST CORNER OF PROPERTY CONVEYED TO FOWL PLAY FARMS, LLC ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 1145 PAGE 137 OF THE LINCOLN COUNTY RECORDS; SAID POINT**

ALSO BEING IN THE NORTH LINE OF PROPERTY CONVEYED TO KIMATERIALS INC. ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 2472 PAGE 431 OF SAID RECORDS; THENCE ALONG SAID NORTH LINE OF KIMATERIALS, NORTH 84 DEGREES 22 MINUTES 54 SECONDS WEST 1178.48 FEET TO THE ACTUAL POINT OF BEGINNING OF THE DESCRIPTION HEREIN; THENCE LEAVING SAID NORTH LINE OF KIMATERIALS, SOUTH 05 DEGREES 57 MINUTES 42 SECONDS WEST 2138.91 FEET TO A POINT; THENCE SOUTH 06 DEGREES 33 MINUTES 57 SECONDS WEST 160.71 FEET TO A POINT; THENCE SOUTH 05 DEGREES 47 MINUTES 36 SECONDS WEST 2059.88 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS NORTH 84 DEGREES 12 MINUTES 24 SECONDS WEST 70.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 102.57 FEET TO A POINT; THENCE SOUTH 89 DEGREES 44 MINUTES 39 SECONDS WEST 313.52 FEET TO A POINT; THENCE NORTH 88 DEGREES 56 MINUTES 44 SECONDS WEST 467.18 FEET TO A POINT; THENCE NORTH 89 DEGREES 52 MINUTES 40 SECONDS WEST 388.94 FEET TO A POINT; THENCE SOUTH 89 DEGREES 06 MINUTES 20 SECONDS WEST 287.81 FEET TO A POINT; THENCE NORTH 89 DEGREES 59 MINUTES 58 SECONDS WEST 1271.41 FEET TO A POINT; THENCE NORTH 86 DEGREES 38 MINUTES 02 SECONDS WEST 239.98 FEET TO A POINT; THENCE NORTH 75 DEGREES 57 MINUTES 48 SECONDS WEST 252.51 FEET TO A POINT IN THE SOUTHEAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD (60 FEET WIDE), AS SHOWN ON A SURVEY PREPARED BY ST. CHARLES ENGINEERING AND SURVEYING AND DATED SEPTEMBER 26, 2000; THENCE ALONG SAID SOUTHEAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD (60 FEET WIDE), ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 05 DEGREES 59 MINUTES 12 SECONDS EAST 205.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 134.98 FEET TO A POINT; THENCE LEAVING SAID SOUTHEAST RIGHT OF WAY LINE OF RELOCATED GLACIAL SAND ROAD (60 FEET WIDE), SOUTH 75 DEGREES 57 MINUTES 48 SECONDS EAST 128.71 FEET TO A POINT; THENCE SOUTH 86 DEGREES 38 MINUTES 02 SECONDS EAST 232.61 FEET TO A POINT; THENCE SOUTH 89 DEGREES 59 MINUTES 58 SECONDS EAST 1269.18 FEET TO A POINT; THENCE NORTH 89 DEGREES 06 MINUTES 20 SECONDS EAST 287.88 FEET TO A POINT; THENCE SOUTH 89 DEGREES 52 MINUTES 40 SECONDS EAST 389.96 FEET TO A POINT; THENCE SOUTH 88 DEGREES 56 MINUTES 44 SECONDS EAST 466.99 FEET TO A POINT; THENCE NORTH 89 DEGREES 44 MINUTES 39 SECONDS EAST 312.83 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 00 DEGREES 15 MINUTES 21 SECONDS WEST 10.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 14.65 FEET TO A POINT; THENCE NORTH 05 DEGREES 47 MINUTES 36 SECONDS EAST 2060.29 FEET TO A POINT; THENCE NORTH 06 DEGREES 33 MINUTES 57 SECONDS EAST 160.79 FEET TO A POINT; THENCE NORTH 05 DEGREES 57 MINUTES 42 SECONDS EAST 2078.05 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT WHOSE RADIUS POINT BEARS NORTH 84 DEGREES 02 MINUTES 18 SECONDS WEST 30.00 FEET FROM THE LAST MENTIONED POINT, AN ARC DISTANCE OF 47.30 FEET TO THE SOUTH LINE OF A PRIVATE ROADWAY (30 FEET WIDE), AS SHOWN IN THE INSTRUMENT RECORDED IN PLAT BOOK 2 PAGE 62 OF SAID RECORDS; THENCE ALONG SAID SOUTH LINE OF A PRIVATE ROADWAY (30 FEET WIDE), NORTH 84 DEGREES 22 MINUTES 54 SECONDS WEST 2903.63 FEET TO A POINT; THENCE LEAVING SAID SOUTH LINE OF A PRIVATE ROADWAY (30 FEET WIDE), NORTH 06 DEGREES 14 MINUTES 54 SECONDS EAST 30.00 FEET TO THE NORTH LINE OF PROPERTY CONVEYED TO KIMATERIALS, INC. ACCORDING TO THE INSTRUMENT RECORDED IN DEED BOOK 1322 PAGE 342 OF SAID RECORDS; THENCE ALONG SAID NORTH LINE OF KIMATERIALS RECORDED IN SAID DEED BOOK 1322 PAGE 342 AND AFORESAID DEED BOOK 2472 PAGE 431, SOUTH 84 DEGREES 22 MINUTES 54 SECONDS EAST 2993.66 FEET TO THE POINT OF BEGINNING AND CONTAINING 12.433 ACRES, ACCORDING TO A CALCULATIONS BY BAX ENGINEERING COMPANY DURING NOVEMBER, 2022.

Curtis Francois, representing Fowl Play Farms, was present to discuss the objections for the change to the course of the road and request the Commission to deny the road relocation. A remonstrance to application for establishment or change of public road was filed with the gathered necessary signatures of support.

The following remonstrance to application for establishment or change of public road, in regards to the relocation of Glacial Sands Road, was read aloud:

TO ALL CONCERNED, WE, THE UNDERSIGNED CITIZENS OF SAID COUNTY, AT LEAST TWELVE DULY QUALIFIED AND COMPETENT ADULT PETITIONERS, RESIDENTS OF AND IN OUR PROPER RIGHT, OWNERS OF LAND IN THE

MUNICIPAL TOWNSHIPS HEREINAFTER NAMES, THAT IS TO SAY AT LEAST TWELVE FREEHOLDERS OF THE MUNICIPAL TOWNSHIPS HEREINAFTER MENTIONED, THREE OF WHO RESIDE IN THE IMMEDIATE NEIGHBORHOOD OF THE HEREIN PROPOSED PUBLIC ROAD, HEREBY GIVE NOTICE, ACCORDING TO LAW, THAT ON THE 10TH DAY OF JANUARY, A.D. 2023 AT THE JANUARY TERM OF THE COUNTY COMMISSION IN OPEN SESSION THEREOF, AND AT THE LINCOLN COUNTY COURTHOUSE WE WILL PRESENT TO THE HONORABLE COMMISSION OF LINCOLN COUNTY, MISSOURI OUR DULY SIGNED REMONSTRANCE OF A PETITION TO CHANGE THE COURSE OF A PORTION OF GLACIAL SANDS ROAD SITUATED IN THE MUNICIPAL TOWNSHIP OF MONROE, IN THE COUNTY OF LINCOLN AND THE STATE OF MISSOURI. WE HEREBY PRAY THAT THE COMMISSION OF LINCOLN COUNTY, MISSOURI WILL DENY THE PROPOSED CHANGE OF GLACIAL SANDS ROAD FOR THE FOLLOWING REASONS: THE RELOCATION OF THE ROAD IS MERELY FOR THE BENEFIT OF ONE PARTY, AND DOES NOT TAKE INTO CONSIDERATION THE DETRIMENT UPON MULTIPLE OTHER PARTIES INCLUDING THE ADDED DISTANCE TO CONNECTIVITY BETWEEN OTHER ADJOINING ROADS THAT NOW EXISTS, THE INCONVENIENCE OF ESSENTIALLY ALL OTHER PARTIES USING THE ROAD BEYOND THE SAND PLANT ITSELF, AND THE DEVALUATION UPON ADJOINING OR NEARBY PROPERTIES RESULTING FROM SUCH A RELOCATION. THE PROPOSED RELOCATION IS SOLEY FOR THE BENEFIT OF ONE SINGLE PARTY.

Brian Viehlmann, representing KIM Materials, discussed the benefits regarding the road relocation.

Commissioner Mueller made a motion to table the discussion regarding the relocation of the road, so that both parties may discuss and agree upon a potential solution regarding the road relocation. Commissioner Bass second. All ayes to carry the motion.

- Commissioner Mueller made a motion to amend the previous motion made on December 27, 2022, to reflect the revised 2022 budget adjustments: Increase 01-4.520.3.4000 Portal Grant revenue by \$66,917.58, original adjustment; Increase 01-4.520.3.4000 Portal Grant revenue by \$72,674.58, revised adjustment. Increase 01-5.520.20200 Contracted Services-Portal Grant by \$65,481.10, original adjustment; Increase 01-5.520.20200 Contracted Services-Portal Grant by \$57,644.81. Encumber \$144,297.56 from 01-5.504.51000 County Election Cost to cover 01-5.600.52700 Building & Parking Lot Improvements, original adjustment; Encumber \$190,248.17 from 01-5.504.51000 County Election Cost to cover 01-5.600.52700 Building & Parking Lot Improvements, revised adjustment. Increase 51-4.541.5.43000 Mennemeyer Rd Bridge by \$10,000.00 to capture revenue for BRO project. Increase 51-5.541.52410 Mennemeyer Rd Bridge by \$26,896.95 to capture BRO project expenses, original adjustment; Increase 51-4.541.5.43000 Mennemeyer Rd Bridge by \$26,896.95 to capture revenue for BRO project. Increase 51-5.541.52410 Mennemeyer Rd Bridge by \$42,343.31 to capture BRO project expenses. Commissioner Bass second. All ayes to carry the motion.

New/Unfinished Business

- Commissioner Mueller made a motion to renew the Server Maintenance contract with Systec, LLC, for 2023, per original terms of the *2022 Server Maintenance RFQ*. Commissioner Bass second. All ayes to carry the motion.
- Commissioner Bass made a motion to renew the Vending Services contract with Pepsi-Cola, and Best Vending, for 2023, per original terms of the *2021 Vending Services RFP*. Commissioner Mueller second. All ayes to carry the motion.
- Commissioner Mueller made a motion to renew the Security Services contract with Lingle Protective Services, for 2023, per original terms of the *2022 Security Services RFP*. Commissioner Bass second. All ayes to carry the motion.
- Commissioner Bass made a motion to renew the Dumpster and Trash Removal Services with Meridian Waste, for 2023, per original terms of the *2020 Dumpster and Trash Services RFP*. Commissioner Mueller second. All ayes to carry the motion.
- Commissioner Mueller made a motion to award the 2023 Janitorial Supplies to Royal Papers and Area Distributors. Commissioner Bass second. All ayes to carry the motion.
- Commissioner Bass made a motion to reject all the bids for the Truck w/ Utility Bed RFB. Commissioner Mueller second. All ayes to carry the motion.
- Commissioner Mueller made a motion to purchase two (2) 2023 GMC Sierra Crew Cab one-tons, from Lou Fusz Motor Company, at \$59,010.00 each, and two (2) 2023 GMC Sierra Double Cab half-tons, at \$43,270.00 each, utilizing State Contract# CC222374009. Commissioner Bass second. All ayes to carry the motion.

Chuck Billings, County Counsel

- Commissioner Mueller made a motion to enter into closed session to discuss legal and contractual matters. Commissioner Bass second. A roll call vote was taken. All ayes to enter into closed session. Motion carried.
- Commissioner Mueller made a motion to leave closed session. Commissioner Bass second. A roll call vote was taken. All ayes to leave closed session. Motion carried. While in closed session the following vote was had:
Commissioner Mueller made a motion to approve the closed session minutes from September 27, 2022, October 25, 2022, and November 22, 2022. Commissioner Bass second. A roll call vote was taken. All ayes to carry the motion.

There being no other business before the County Commission at this time, the meeting thereupon was adjourned until Thursday, January 12, 2023, at 10:00 a.m.

Kenneth Schulte

Kenneth Schulte
County Clerk

Joseph Kaimann
Joseph Kaimann
Presiding Commissioner

Mike Mueller
Mike Mueller
Associate Commissioner District I

Matt Bass
Matt Bass
Associate Commissioner District II

