

“There she stands, proud in all her glory.”

Missouri County Record

Summer 2015



Pemiscot County Courthouse,
Caruthersville, Mo.

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On The Cover

Pemiscot County

Dennis Weiser

Missouri Courthouses: Building Memories On The Square

Pemiscot County's first three courthouses were built in Gayoso, a town located about three miles upstream on the Mississippi River from present-day Caruthersville. However, floods plagued the town, and in 1899, the citizens petitioned to have the county seat moved to Caruthersville.

In 1899, Caruthersville was the site selected, and residents donated sufficient land to establish a courthouse square in the center of town. The county's courthouse, a two-story white, frame building with

a hip roof, was ready for occupancy that same year. That courthouse was retired in 1924 and moved to the northwest corner of the square to make way for the current courthouse.

Work began in 1924 on both the present courthouse and a school. The dual project was a cost-saving move and a means of assuring the attention of the architect who designed both buildings. Work was completed in 1925.

The building was renovated in 1975 and remains the seat of justice for Pemiscot County.



Pemiscot County

Caruthersville



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Missouri Counties Outraged With EPA's Lowering Of Ozone Standards

The Environmental Protection Agency's (EPA's) proposal to update the air quality standards for ground-level ozone has been a "hot topic" of dissension since November 2014.

At that time and according to the federal agency's website, **"The EPA proposed to strengthen the National Ambient Air Quality Standards (NAAQS) for ground-level ozone, based on extensive scientific evidence about ozone's effects. The proposed updates will improve public health protection, particularly for children, the elderly, and people of all ages who have lung diseases such as asthma. The updates also will improve protection for trees, plants and ecosystems."**

While that's somewhat of a noteworthy goal, the EPA is ignoring the devastating economic effect of lowering the standards from the current level of 75 parts per billion to between 65-70 parts per billion. "The new standard will cause severe economic damage to our counties, halt new and expanding manufacturing in Missouri, and cost Missouri businesses billions of dollars to comply," said MAC President and Cooper County Clerk Darryl Kempf.

"The current standard of 75 parts per billion has not even been

fully implemented. To change this standard in mid-stream is both unwarranted and unreasonable.

"This proposal will damage Missouri's economy, increase electric and natural gas prices to consumers, and severely curtail manufacturing opportunities ...," assessed Kempf. "The current standard of 75 parts per billion is working. Air quality has consistently improved and the standard protects quality of life. Lowering it at this time is bad policy and will result in severe damage to Missouri's economy and impose hardships on the labor, business and manufacturing sectors."

Switching Gears

"I've been involved with this issue for the past five years," explained Paul Koeper, Cape Girardeau County associate commissioner. In Southeast Missouri we meet every other month over this issue and this issue only. Over the years, we've had guests from the EPA, DNR, and engineering firms give us presentations. All in attendance, except for the EPA, understood our concerns about the economic impact of lowering the level from 75ppb to 65-70ppb.

"The EPA informed us that it was their job to protect the health of

the American people, and not the economic impact. We argued that lowering the level will eventually run companies out of our state and the country, but they didn't seem to care.

"So I truly believe we need to gear our focus to the fact that we have a healthy environment and companies continue to improve their ways of doing business. We need to find statistics that indicate we are living in a healthy place and that current controls are working! I realize the EPA has their statistics, but we should have ours," concluded Commissioner Koeper, who added that the proposal is expected be finalized in October.

On the other side of the state, the Greene County commissioners voiced strong concern regarding the lowering of standards in a June 24 letter to EPA Administer Gina McCarthy.

The commissioners said that Greene County has a strong record of environmental stewardship and compliance with national and state compliance mandates.

"A review of our county's record for environmental achievement will show a strong public health focus," wrote Associate Commissioner Harold Bengsch, who spent 45



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years at the health department – the last 20 as its director – before successfully running for county commissioner.

“These achievements have been realized through collaborative partnerships that thoroughly study potential financial impact to entities directly affected, economical burden on taxpayers, adverse consequences on the local business climate, potential for adverse impact on tax revenue for political subdivisions of the county, potential adverse effect on current employment status and potential business growth. In short, we try very hard to uncover unintended consequences which may lay hidden beneath the noise of regulatory compliance.

“It is our expressed concern (maybe fear is the correct term to use) that serious unintended consequences lurk within the proposal to lower the current ozone standard from 75ppb. This

concern does not lay aside public health considerations regarding ozone. Results from unintended consequences in the form of lost wages, unemployment, corporate down-sizing, tax base erosion, reduction in farm/ranch food production, to name only a few, can produce cascading adverse health outcomes with far-reaching implications,” wrote Commissioner Bengsch.

Statistics That Uproot The EPA’s Position

The American Petroleum Institute (API) issued a report in June 2015 and its full content (which is linked API’s website) may be found at www.ozonefacts.com. It is titled “*The Facts On NAAQS (National Ambient Air Quality Standards).*”

The Environmental Protection Agency (EPA) has a statutory duty under the Clean Air Act to periodically review National Ambient

Air Quality Standards for six primary pollutants – carbon monoxide, lead, nitrogen dioxide, ozone, particle pollution and sulfur dioxide.

API reported that “a combination of cleaner gasoline and diesel fuels, modernized equipment and facilities, and more fuel-efficient vehicles have helped reduce emissions of air pollutants by 62 percent between 1980 and 2013 – even as vehicle miles traveled went up over 95 percent. Progress is clear – ozone concentrations under the current rules have dropped by 18 percent since 2000.”

The report further stated that using the EPA data, 94 percent of the country’s population would live in places that exceed that level and could be subject to new emissions reduction requirements. Even pristine areas like Yellowstone National Park would be above 65ppb standards.

(Continued On Page 6)

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(Continued From Page 5)

Citing a state-by state impact of a non-attainable standard, the gross state product loss from 2017 to 2040 for Missouri would be \$28.7 billion. The lost jobs or job equivalents in Missouri is projected to be 40,249 per year.

A statement issued jointly by the U.S. Conference of Mayors, the National Association of Counties, the National League of Cities, and the National Association of Regional Councils reads as follows: "Because of the financial and administrative burden that would come with a more stringent NAAQS for ozone, we ask EPA to delay implementation of a new standard until the 2008 standard is fully implemented."

What You Need To Know

The National Association of Manufacturers (NAM) agrees with America's oil and natural gas industries.

Visit www.nam.org/ozone for a list of polling responses that all point to the EPA's proposed regs putting local economies at risk.

When NAM polled voters on air quality, the following key points

emerged:

- By a nearly 3-1 margin, Americans think that a bigger problem for their local area is "less economic growth and job opportunities caused by regulations" (66 percent), rather than "lower air quality caused by pollution" (23 percent).
 - Three out of four respondents (76 percent) believe that stricter federal air quality regulations would increase their taxes; 65 percent believe they would make it harder for local businesses to start or grow; and 78 percent believe that they would increase costs on everyday goods and services.
 - Most respondents prefer that decisions about the federal air quality be handled by local officials (46 percent) or state officials (29 percent). Less than one out of five respondents (18 percent) think the federal government should have more of a say over air quality regulations in their local areas.
- Upon projecting the economic impact of the proposed EPA regulations, the National Association of Manufacturers listed these key points:

- The new regulations would reduce the U.S. GDP by \$140 billion per year and \$1.7 trillion from 2017 to 2040.

- They would result in 1.4 million fewer job equivalents on average through 2040.

- They would cost the average U.S. household \$830 per year in the form of lost consumption.

What You Need To Do

Last year during MAC's November Annual Conference, the association overwhelmingly adopted a statewide resolution opposing any changes to the ozone standards. Because the EPA is very close to making a decision in October, this is the last chance to reinforce Missouri county government opposition. Please take the time to email a letter addressed to Ms. Gina McCarthy, Administrator, U.S. EPA, 1200 Pennsylvania Ave. NW, Washington, DC 20460. Her email address is mccarthy.gina@epa.gov. Also copy White House Chief of Staff Denis McDonough at dmcdonough@who.eop.gov and White House Advisor Brian Deese at bdeese@who.eop.gov.



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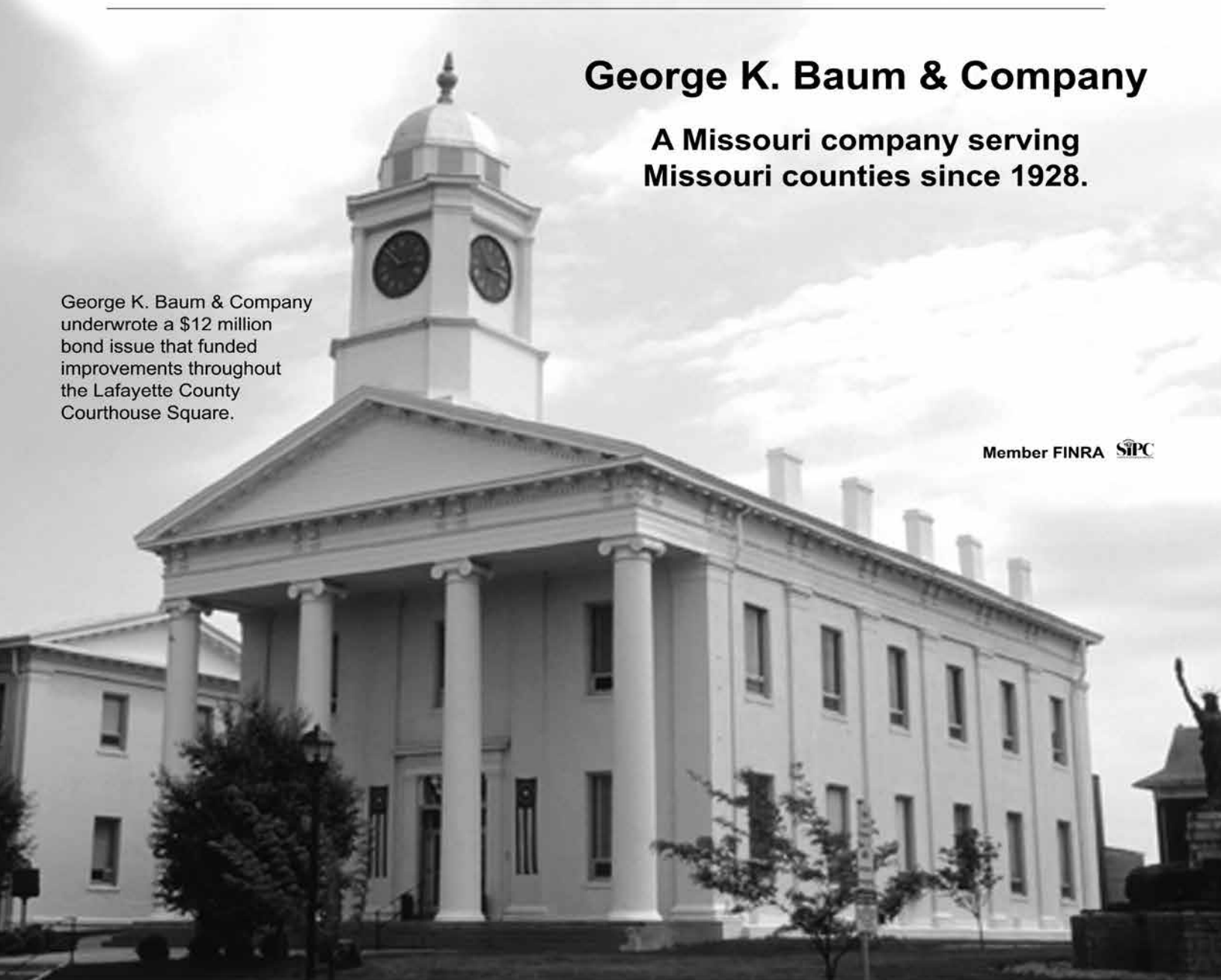
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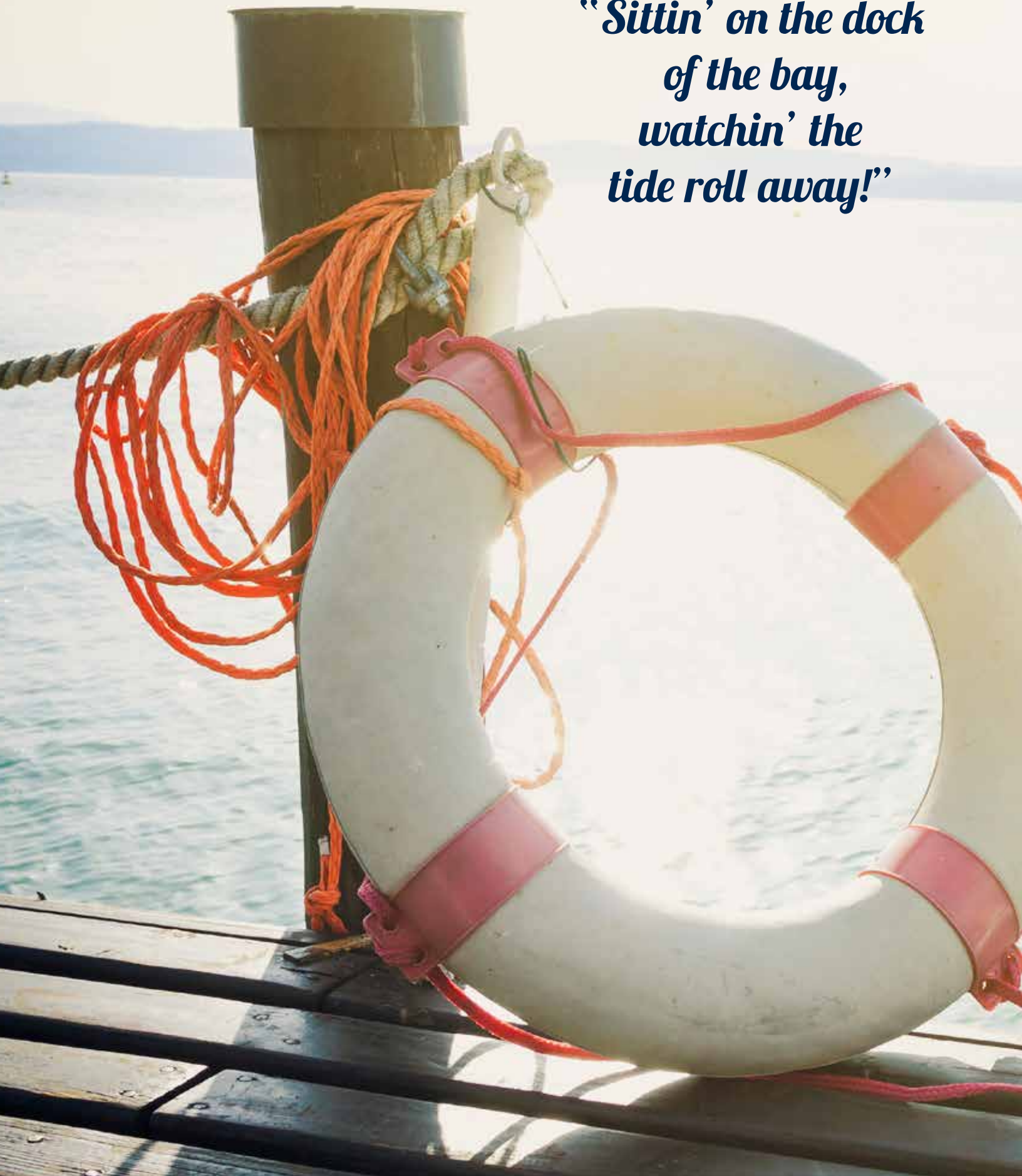
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of the bay,
watchin’ the
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While this message isn't in a bottle, we hope you'll read about our work-filled/fun-filled annual meeting. Sail away with us and listen to Paul Mellor, a highly interactive and entertaining memory expert who will teach you techniques for recalling names and remembering facts and figures. Other sessions will focus on state and federal transportation funding, reversing implementation of "Waters of the US," the "Stepping Up Initiative," tracking TIFs, next year's ballot deadline for retaining sales tax on cars & boats, Agri-Ready counties, CERF, abolishing township forms of government, the Affordable Care Act, as well as the millennials' reliance on social media communication. Also stand a chance to win a \$2,000 vacation getaway to the destination of your choice – perhaps goin' on a sea cruise?

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Grim Outlook For Missouri's Transportation Future

It doesn't take a crystal ball or a fortune teller to predict the future of the nation's transportation infrastructure. With a huge cut in funding and the always looming national deficit, money that once went to supporting our nation's transportation needs is seriously dwindling. To put it bluntly, not only is Missouri's transportation program in a crisis, but the whole nation also faces the same risks.

However, there are a couple of temporary fixes. Congress passed a short-term 3-month transportation funding extension to ensure highway funding continues until the U.S. House of Representatives takes up the long-term extension legislation. Also, MoDOT reaped an extra \$40 million in an unanticipated upswing in state revenue, thus saving federal grants for one more year.

With the current surface transportation law known as Moving Ahead for Progress in the 21st Century Act (MAP-21) expiring on July 31 and the Highway Trust Fund on the verge of collapse, Congress took action just in time to avoid disaster and set the course for a long-term reauthorization bill.

Counties play an essential role in transportation and infrastructure networks. Investing over \$100 billion each year in roads, bridges, transit, water systems and other public facilities, counties facilitate everything from Americans' daily commutes to the shipping of goods around the globe.

Counties own and maintain the greatest share of the nation's road miles, or 45 percent (compared to the 32 percent of public roads owned by cities and townships; 19 percent by states; and 3 percent by the federal government) and more than 230,000 bridges (nearly 40 percent of the National Bridge Inventory).

Counties are also stewards of more than a third of the nation's transit systems and airports that connect residents, communities and businesses.

"Funding for critical infrastructure has been running on fumes for far too long, and I'm hopeful that begins changing today. Gridlock in Congress has created gridlock on our roads, which states like Missouri—with the country's seventh largest highway system but is near the back of the pack in terms of revenue—simply cannot afford," said U.S. Senator Claire McCaskill. "This long-term transportation bill isn't perfect, but it's what Missouri needs to tackle major infrastructure projects, and to maintain and improve our roads and bridges. Now the ball is in the U.S. House of Representatives' court, to act on a

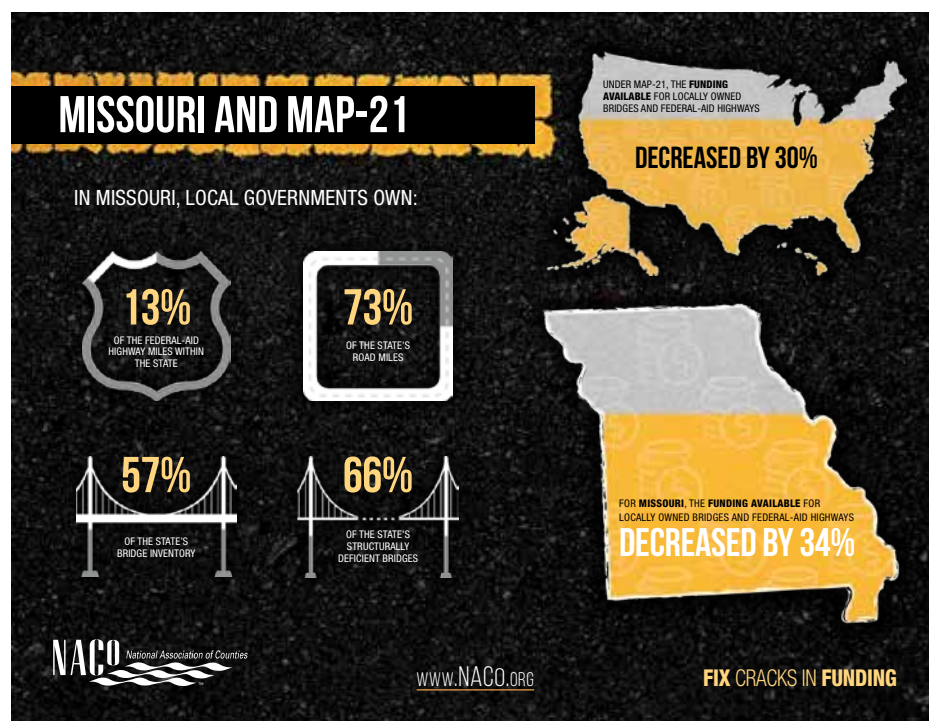
long-term solution, instead of the haphazard stop-gap measures they seem to favor."

According to state Senator Doug Libla, Missouri is facing two critical transportation issues.

1. Missouri has thousands of bridges over 50 years old; 1,600 of them are over 75 years old. Approximately 6,300 of our bridges are obsolete and structurally deficient, and

2. In 2017, Missouri will no longer generate enough highway user revenue to access federal construction dollars that would otherwise be available.

"The deteriorating condition of our roads and bridges should be a personal safety and economic concern to all Missourians," said Libla. "Our bridges are at risk of failing at any time. As if safety and



Some of the priorities for a new transportation legislation include:

- Provide Long-Term Funding Certainty
- Increase Funding for County Road and Bridge Projects

- Support Public Transportation Systems of all Sizes
- Make Safety a Priority on all Roads and Bridges
- Support Innovative Funding and Financing Methods

economic worries weren't enough, our state faces a dwindling ability to use federal highway construction dollars. Missouri is allocated about \$870 million per year of federal highway funds, but to get them, we have to be able to provide matching state funds. For every \$4 of federal funds, we need to provide \$1. If we can't, Missouri will be unable to claim the federal dollars."

One long-term solution for transportation, dubbed the Developing a Reliable and Innovative Vision for the Economy (DRIVE) Act (S. 1647), would provide \$277.4 billion in spending for highway programs, which represents an average growth of \$5.3 billion per year. The funding levels set by the bill would require an additional \$92 billion in revenue beyond current projected receipts for the Highway Trust Fund.

Even though the DRIVE Act addresses a number of priorities for

MAP-21 reauthorization, the bill isn't a total fix either. This is a long and complicated process.

In the Missouri House and Senate, lawmakers have said that

transportation will be a priority next session.

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Seven Significant Supreme Court Cases for Local Governments

Lisa Soronen,

State and Local Legal Center (SLLC), Washington, D.C.

Content-Based Sign Codes Unconstitutional

In *Reed v. Town of Gilbert* the Court held unanimously that Gilbert's Sign Code, which treated various categories of signs differently based on the information they convey, violates the First Amendment.

Gilbert's Sign Code treated temporary directional signs less favorably (in terms of size, location, duration, etc.) than political signs and ideological signs.

Content-based laws are only constitutional if they pass strict scrutiny—that is, if they are narrowly tailored to serve a compelling government interest.

While the SLLC argued in its *amicus brief* that Gilbert's sign categories are based on function, the Court concluded they are based on content.

Gilbert's Sign Code failed strict scrutiny because its two asserted compelling interests—preserving aesthetic and traffic safety—were “hopelessly underinclusive.” Temporary directional signs are “no greater an eyesore” and pose no greater threat to public safety than ideological or political signs.

Many, if not most communities, like Gilbert, regulate some categories of signs in a way the Supreme Court has defined as content-based. Communities will need to change these ordinances.

Hotel Registry Searches Need Subpoenas

In *City of Los Angeles v. Patel* the Court held 5-4 that a Los Angeles ordinance requiring hotel and motel operators to make their guest registries available for police inspection without at least a subpoena violates the Fourth Amendment.

The purpose of hotel registry ordinances is to deter crime—drug dealing, prostitution, and human trafficking—on the theory that criminals will not commit crimes in hotels if they have to provide identifying information.

According to the Court, searches permitted by the City's ordinance are done to ensure compliance with recordkeeping requirements. While such administrative searches do not require warrants, they do require “precompliance review before a neutral decisionmaker.” Absent at least a subpoena, “the ordinance creates an intolerable risk that searches authorized by it will exceed statutory limits, or be used as a pretext to harass hotel operators and their guests.”

In dissent, Justice Scalia cited the SLLC's *amicus brief*, which notes that local governments in at least 41 states have adopted similar ordinances. Eight states also have hotel registry statutes: Indiana, Florida, Massachusetts,

Maine, New Hampshire, New Jersey, Wisconsin, and the District of Columbia. It is likely following this decision that other record inspections done by governments outside the hotel registry context will also require subpoenas.

Fair Housing Act Disparate Impact Claims Recognized


In *Texas Department of Housing and Community Affairs v. Inclusive Communities Project* the Court held 5-4 that disparate-impact claims may be brought under the Fair Housing Act (FHA).

In a disparate-impact case a plaintiff is claiming that a particular practice isn't intentionally discriminatory, but, instead, has a disproportionately adverse impact on a particular group.

The Inclusive Communities Project claimed the Texas housing department's selection criteria for federal low-income tax credits in Dallas had a disparate impact on minorities.

In prior cases the Court held that disparate-impact claims are possible under Title VII (prohibiting race, etc., discrimination in employment) and the Age Discrimina-

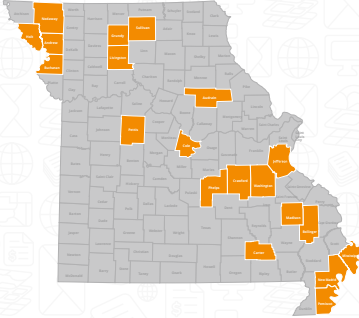
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tion in Employment Act relying on the statutes' "otherwise adversely affect" language. The FHA uses similar language—"otherwise make unavailable"—in prohibiting race, etc., discrimination in housing.

This decision more or less continues the status quo for local governments. Nine federal circuit courts of appeals had previously reached the same conclusion. But, Justice Kennedy's majority opinion contains a number of limits on when and how disparate impact housing claims may be brought.

Reasons For Cell Tower Denials Must Be In Writing

In *T-Mobile South v. City of Roswell* the Court held 6-3 that the Telecommunications Act (TCA) requires local governments to provide reasons when denying an application to build a cell phone tower.

The reasons do not have to be stated in the denial letter but must be articulated "with sufficient clarity in some other written record issued essentially contemporaneously with the denial," which can include council meeting minutes.

The TCA requires that a local government's decision denying a cell tower construction permit be "in writing and supported by substantial evidence contained in a written record." Local governments must provide reasons for why they are denying a cell tower application so that courts can determine whether the denial was supported by substantial evidence. Council meeting minutes are sufficient. But, because wireless providers have only 30 days after a denial to sue, minutes must be issued at the same time as the denial.

Following this decision, local governments should not issue any written denial of a wireless siting application until they (1) set forth the reasons for the denial in that written decision, or (2) make available to the wireless provider the final council meeting minutes or transcript of the meeting.

No Dog Sniffs After Traffic Stops

In a 6-3 decision in *Rodriguez v. United States* the Court held that a dog sniff conducted after a completed traffic stop violates the Fourth Amendment.

In *Illinois v. Caballes* the Court upheld a suspicionless dog search conducted during a lawful traffic stop stating that a seizure for a traffic stop "become[s] unlawful if it is prolonged beyond the time reasonably required to complete th[e] mission" of issuing a ticket for the violation. Officers may lengthen stops to make sure vehicles are operating safely or for an officer's safety. A dog sniff, however, is aimed at discovering illegal drugs not at officer or highway safety.

In dissent, Justice Alito suggests savvy police officers

can skirt the Court's ruling by learning "the prescribed sequence of events even if they cannot fathom the reason for that requirement."

Objectively Unreasonable Is The Standard For Pretrial Detainee Excessive Force Claims

In *Kingsley v. Hendrickson* the Court held 5-4 that to prove an excessive force claim a pretrial detainee must show that the officer's force was objectively unreasonable, rejecting the subjectively unreasonable standard that is more deferential to law enforcement.

Pretrial detainee Michael Kingsley claimed officers used excessive force in transferring him between jail cells to remove a piece of paper covering a light fixture that Kingsley refused to remove.

The objective standard applies to excessive force claims brought by pretrial detainees because in a previous case involving prison conditions affecting pretrial detainees, the Court used the objective standard to evaluate a prison's practice of double bunking. And the objective standard applies to those who, like Kingsley, have been accused but not convicted of a crime, but who unlike Kingsley are free on bail.

A standard more deferential to law enforcement applies to post-conviction detainees, who are housed with pretrial detainees, making this ruling difficult for jails to comply with. Following this decision it will be easier for pretrial detainees to bring successful excessive force claims against corrections officers.

Tax on Internet Purchases

In *Direct Marketing Association v. Brohl* Justice Kennedy wrote a concurring opinion stating that the "legal system should find an appropriate case for this Court to re-examine *Quill*."

In 1992 in *Quill Corp. v. North Dakota* the Court held that states cannot require retailers with no in-state physical presence to collect use tax.

To improve tax collection, Colorado began requiring remote sellers to inform Colorado purchasers annually of their purchases and send the same information to the Colorado Department of Revenue. The Direct Marketing Association sued Colorado in federal court claiming that the notice and reporting requirements are unconstitutional under *Quill*.

The question the Court decided was whether this case could be heard in federal court (as opposed to state court). The Court held yes unanimously. This case is significant for local governments because the Court's most influential justice expressed skepticism about whether *Quill* should remain the law of the land.

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EPA's New Definition Of "Waters Of The U.S." Wreaks Havoc

On June 29, the U.S. Environmental Protection Agency (EPA) and the U.S. Army Corps of Engineers (Corps) published their final definition of Waters of the U.S. under the Clean Water Act (renamed the Clean Water Rule) in the *Federal Register*. It will become effective 60 days after publication on Aug. 28, 2015. It is unknown the impact it will have on county-owned and maintained roadside ditches, bridges, flood control channels, drainage conveyances and wastewater treatment and stormwater systems.

However, it is known that the new rule will broaden the types of waters that are considered jurisdictional under federal regulation. The Clean Water Rule classifies eight types of waters as jurisdictional. The following four are relatively non-controversial since they have long been considered jurisdictional:

1. Traditionally navigable,
2. Interstate waters,
3. Territorial seas,
4. Impoundments of waters.

The following four categories of waters are at the center of the controversy and may significantly expand federal jurisdiction if broadly interpreted:

5. Tributaries of navigable, interstate and territorial seas,
6. Waters that are "adjacent" to any of #s 1-5,
7. Certain regional categories of waters—prairie potholes, Carolina bays and Delmarva bays, pocosins, western vernal pools and Texas coastal prairie wetlands—if they have a significant nexus to jurisdictional waters,
8. And waters that are located within the 100-year floodplain or within 4,000 feet of the high tide or ordinary high water mark.

Missouri joined other states, led

by North Dakota, and filed a lawsuit challenging the new rule under the Clean Water Act. There are a total of 12 other states that joined the legal action. However, there are several different lawsuits between the EPA and the Corps that dispute the new rule. The federal judge in N.D.

blocked the new rule on Aug. 27, 2015. However, this is just a stepping stone in the process to getting the new rule reversed.

"The EPA and the Army Corps have exceeded their legal authority in defining what constitutes U.S. waterways," Missouri Attorney



Seated, left to right: James C. Bowers, Jr., Michael T. White, Aaron G. March, Standing, left to right: Shannon M. Marciano, Ferdinand E. Niemann IV, Kimberley S. Spies, William B. Moore, Mark S. Bryant, Brian E. Engel, Patricia R. Jensen

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General Chris Koster said. "If this change becomes law, thousands of acres of privately owned land in Missouri will suddenly be subject to federal water regulation. Missouri farmers will be particularly harmed by the federal government's restrictions on how their land can be used."

The EPA claims the only waters affected would have a "direct and significant" connection to larger bodies of water downstream that are already protected. It says the aim is to protect the waters from pollution and development and to safeguard drinking water. However, many feel that this new rule is the federal government and the EPA chipping away at local control. The lawsuit, filed in federal court in Bismarck, N.D., asks for the Clean Water Rule to be thrown out.

Many Congressional members

are also against the new "Waters of the U.S." rule. Those who come from rural and agricultural districts feel that the changes will hurt local farmers and business owners.

"The proposed rule has been flawed since its inception, and is essentially a federal land grab," said Congresswoman Vicky Hartzler. "It has placed a burden on law-abiding citizens who are forced to comply with onerous restrictions on how they manage their own land. It is time to hear the voices of the people of Missouri's fourth district and others across the country who care about the land and are better positioned to make wise decisions on land management."

Hartzler, who lives on a working farm in Cass County, serves on the House Agriculture, Armed Services, and Budget Committees.

"We all want clean water and

the states and local authorities have done a good job, over the years, of working with federal regulators to implement the Clean Water Act," Hartzler added. "It is time to stop federal bureaucrats from stepping in and taking away local control. The balanced approach to regulating the nation's waters must be restored."

The U.S. House and the Senate have introduced their own legislation to combat the problems the new rule brings, but the Obama Administration said it will veto the bills if passed. The Regulatory Integrity Protection Act of 2015 (H.R. 1732) would require the agencies to consult and collaborate with state and local governments on the "Waters of the U.S." rule development process. The agencies would also be required to document the interactions, including those areas where consensus was reached and not reached, and submit a final report to Congress. At the end of April, a similar bill was introduced in the Senate. The Federal Water Quality Protection Act (S. 1140) would also stop and restart the rule-making process and require the agencies to work more closely with state and local governments in a rule rewrite. The measure contains a list of principles the agencies should consider when rewriting the rule including types of water features that can be regulated or exempt under the proposal.

Clean Water Rule Quick Facts

- Even non-federal waters are protected by state and local regulations — sometimes even more strictly than federal rules. As co-regulators under provisions of the Clean Water Act, counties are not just another stakeholder in this discussion.
- While the final rule attempts to exempt certain ditches, many county-owned ditches may still fall under federal authority.
- The final rule newly defines the term "tributary," and in doing so states that "a tributary can be a natural, man-altered or man-made water and includes waters such as rivers, streams, canals, and ditches."



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One Percent More Revenue Projected For FY '16 CART Funds

Missouri Department of Transportation (MoDOT) officials project that for FY '16 each penny of the state gas tax is expected to bring in \$39.3 million. With the total gas tax set at 17 cents, that means \$668 million will be divided among the state, counties and cities for road and bridge maintenance and repair.

For 2016, the county share of the gas tax is projected to be approximately \$78 million. MoDOT also projects the county intake from the '16 motor vehicle sales/use tax will be \$14.7 million. Finally, they project vehicle fees for the new state fiscal year will net counties an estimated \$10.8 million.

Total county revenues from these three sources should be approximately \$103.5 million. To compute your county's portion of 2016 County Aid Road Trust (CART) revenues, you may simply use the \$103.5 million times your new percentage share listed on this page.

Example #1 (for Howell County)

$$\text{\$103.5 million} \times .0107 = \text{\$1,107,450}$$

If, however, you want to know the breakdown from each of the three sources that make up county CART revenues, use the following steps:

Example #2 (for Howell County)

Gas Tax Revenues

$$\text{\$78 million} \times .0107 = \text{\$834,600}$$

Motor Vehicle Sales/Use Tax Revenues

$$\text{\$14.7 million} \times .0107 = \text{\$157,290}$$

Motor Vehicle Fees

$$\text{\$10.8 million} \times .0107 = \text{\$115,560}$$

The tally of these three figures will approximate the amount in Example #1 and provide your county's estimated CART revenues for the state's FY '16 year.

County Aid Road Trust (CART) Funds

CART Funds are apportioned to counties on the basis of two factors: one-half of the funds are credited to the county based on the ratio that its road mileage bears to the total county road mileage in the unincorporated areas of the state, and one-half is credited to the county based on the ratio that its rural land valuation bears to the rural land valuation of the entire state. Total 2015 Missouri county road mileage is 73,484. Total 2015 assessed valuation in the unincorporated areas is \$23,032,589,096.

The CART distribution percentages for 2016 (shown in the accompanying table) are based on these 2015 figures.

County CART Percents For 2016 Budgeting

Adair	.0058	Linn	.0056
Andrew	.0064	Livingston	.0051
Atchison	.0054	McDonald	.0067
Audrain	.0077	Macon	.0073
Barry	.0118	Madison	.0031
Barton	.0061	Maries	.0040
Bates	.0086	Marion	.0051
Benton	.0071	Mercer	.0035
Bollinger	.0050	Miller	.0079
Boone	.0152	Mississippi	.0036
Buchanan	.0054	Moniteau	.0049
Butler	.0105	Monroe	.0058
Caldwell	.0051	Montgomery	.0055
Callaway	.0153	Morgan	.0115
Camden	.0259	New Madrid	.0075
Cape Girardeau	.0091	Newton	.0108
Carroll	.0074	Nodaway	.0101
Carter	.0029	Oregon	.0046
Cass	.0126	Osage	.0051
Cedar	.0054	Ozark	.0061
Chariton	.0072	Pemiscot	.0053
Christian	.0129	Perry	.0055
Clark	.0045	Pettis	.0098
Clay	.0079	Phelps	.0080
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Cooper	.0050	Polk	.0081
Crawford	.0062	Pulaski	.0066
Dade	.0049	Putnam	.0046
Dallas	.0063	Ralls	.0049
Daviess	.0061	Randolph	.0076
DeKalb	.0058	Ray	.0068
Dent	.0058	Reynolds	.0073
Douglas	.0062	Ripley	.0040
Dunklin	.0074	St. Charles	.0333
Franklin	.0199	St. Clair	.0056
Gasconade	.0051	St. Francois	.0075
Gentry	.0046	Ste. Genevieve	.0066
Greene	.0316	St. Louis	.0996
Grundy	.0040	Saline	.0071
Harrison	.0066	Schuyler	.0026
Henry	.0071	Scotland	.0041
Hickory	.0042	Scott	.0046
Holt	.0043	Shannon	.0056
Howard	.0036	Shelby	.0054
Howell	.0107	Stoddard	.0098
Iron	.0039	Stone	.0116
Jackson	.0091	Sullivan	.0045
Jasper	.0127	Taney	.0112
Jefferson	.0376	Texas	.0088
Johnson	.0127	Vernon	.0087
Knox	.0042	Warren	.0066
Laclede	.0076	Washington	.0051
Lafayette	.0076	Wayne	.0050
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Lewis	.0041	Worth	.0021
Lincoln	.0103	Wright	.0061



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Defined Benefit Pensions: *What's good for the Participant is good for the Employer and Local Communities*

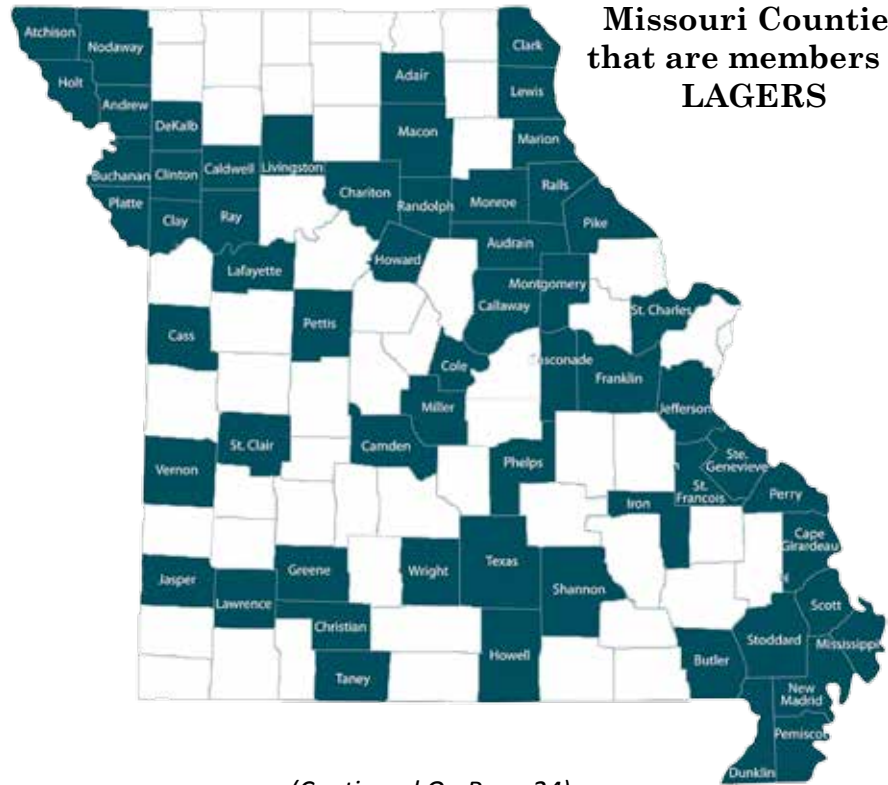
Jeff Kempker

Missouri Local Government Employees Retirement System

We all dream of retiring ... Spending our days doing what we *want* to do rather than what we *have* to do. But how do we get there? Retirement is the most important and expensive purchase we will ever make and many Americans are woefully unprepared.

Most American workers today must rely on 401(k)-type retirement plans to secure their own financial futures. The problem with this is that Americans aren't saving enough. A recent report by Bankrate found that one-third of Americans have nothing saved for retirement. In addition to low savings rates, many workers do not have the financial knowledge or skill to navigate the investment landscape on their own, negotiate reasonable fees that won't eat into their savings, or develop portfolios that can withstand market volatility.

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(Continued On Page 24)

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(Continued From Page 22)

Fortunately, county employees across Missouri have access to defined benefit plans. These plans pay a retiree a protected, pre-determined amount each month. The amount of the benefit is based on a formula, not an account balance, and is usually driven by the employee's years of service and salary. These plans remain the most efficient and effective retirement plans, not only for employees, but also for employers and taxpayers as well. They provide a clear and secure path to retirement and help employers recruit and retain a strong, loyal workforce to best serve our communities.

There is a common misconception that defined benefit plans are only good for the employee. But when structured correctly, these plans have immense benefits for the employer and taxpayers, as well.

For one, defined benefit pension plans encourage longevity because the amount of the benefit is directly tied to length of employment. An experienced, well-trained workforce has obvious benefits to any community.

Another significant benefit is the economic impact that retirees produce within their communities. A recent study by the Missouri Local Government Employees Retirement System (LAGERS), the pension fund that covers over 8,000 county workers from 60 counties in Missouri, found that 94 percent of its retired members remain in the communities where they worked. The steady monthly retirement benefits received by these pensioners are not stuffed under a mattress, but reinvested within the communities they served. LAGERS paid out over \$230 million to 18,872 retirees last year, and \$216 million stayed in Missouri. That's a pretty nice annual economic stabilizer for the Show-me State!

Providing a well-structured defined benefit plan is a valuable investment in the individuals who show up to work every day to serve the citizens of your county, and the benefits of these plans help make the communities in our state a great place to live, work and retire.

Jeff Kempker is the manager of Member Services at the Missouri Local Government Employees Retirement System. More information on Jeff and LAGERS may be found at www.molagers.org, @MissouriLAGERS on Twitter, and facebook.com/MissouriLAGERS.

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Sometimes being a county official is a family business... “It’s A Family Tradition”

It must be in the genes! There are a surprising number of Missouri county officials that have had or have family members that also serve in a county office. In fact, there were so many we couldn’t feature everyone. Here are a few that stood out.

Pemiscot County Clerk Pam Treece was appointed to office in November 2008 and was elected first in 2010, but she started working in the county clerk’s office in December 2001.

Who in your family was an elected county official?

My father, Roger Medlin, was an elected official. He served three terms as collector of Pemiscot County from January 1971 to December 1982. He served one term as presiding commissioner of Pemiscot County from January 1991 to December 1994.

Did having a father who was an elected official play a role into your decision to run for office? Why or why not?

While growing up, I never thought I would someday be an elected official. I saw how my Dad worked hard and did his best for the county. He and my mother taught me to put God first, to love and take care of my family, and to work hard and always be honest. So when I was approached about the appointment as county clerk in 2008, I decided that I wanted to carry on the work my Dad had done. He was sick for several years and passed away in 2009, but he did get to see me sworn in for the first time as county clerk.

What is a memory about you and your dad about his office that stands out?

One of my earliest memories is going to my Dad’s office when I got



Pemiscot County Clerk Pam Treece



Treece (little one in front) campaigning for her father

out of kindergarten each day. My school was across the street from the courthouse. I spent many years going to the courthouse to visit him in his office. Now my children come visit me in my office.

What lessons did you learn from your dad and his position?

I have five sisters, and my Dad

always put us to work when it came time to campaign. We were never really thrilled about going door to door asking for votes, but we wanted to make him proud. I guess all of that work was just getting me prepared for my own office.

I am so thankful to have this job as county clerk. It has been a blessing for me, my husband and

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our children. I spend so much time at the courthouse that it feels like my home away from home. I love my two deputy clerks that help me get everything done. Things can get very crazy and busy in our office, but I enjoy my job and helping Pemiscot County.

Steve Pickering has served as Laclede County collector since 1986 and was the public administrator prior to serving as collector.

Who in your family is/was an elected county official?

My father, Max Pickering was the county coroner and my brother, Joe Pickering was coroner and presently an associate commissioner.

When did they serve and what office(s)?

My father served from 1963 to 1965 as Cedar County coroner and 1977 to 1996 as Laclede County



Steve and Joe Pickering throughout their childhood

coroner. My brother served as Laclede County coroner from 1997 to 2001 and commissioner from 2002 to present. I served as public administrator from 1982 to 1986 and collector from 1986 to present.

Tell me a story or memory about your family member and you relating to the office that stands out.

When my brother announced he
(Continued On Page 28)

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(Continued From Page 27)

would be running for commissioner I tried to persuade him not to. He was committed and sure about his decision.

What lessons did you learn from your dad and his position?

The lessons I learned from my father were not from his time as a public servant but as a man and father. He instilled in his children to be fair and treat folks the way you would want to be treated. He was always building goodwill and better friendships. More and more I see my father's qualities in my brother.

Do you and your brother ever have any disagreements?

Most all of our disagreements or problems between my brother and I were before we became elected. Growing up we had some doosies!

Rita Milam and her sister, Glenda Enderle, both currently serve in Scott County. Milam, the Scott County clerk has served since Jan. 1, 1995, and Enderle, the Scott County treasurer, was first appointed on April 1, 1998.

What is it like having two elected officials in the family?

Glenda and I are the two youngest of five girls and one boy. We are a very close family and everyone helps us campaign to get reelected to our positions. Not that they like it, but they do it. Our mom enjoys meeting and talking to people, but she gets so nervous that we won't win or just one of us will. Our Dad would wear my hat then put Glenda's on when he visited her. He would also wear my hat and her shirt.

Do you and your sister ever have any disagreements?

We hold different offices with our own statutes to follow so we agree



Milam and Enderle as children and presently

to disagree if something does arise. Overall, we both follow the law and do what is best for the residents of Scott County.

What is interesting about serving together?

Milam: I quickly learned that when someone asks me if I work at the courthouse, I say yes, but don't offer any other information because I don't know if their mad at one of us or just asking.

Enderle: When I started at the courthouse everyone would say, "Hi,

Rita." I would tell them that I was Glenda, her sister. After a while, I just got to where I would say, "Hi, how are you?" Then I would laugh and tell Rita so and so said, "Hi."

Milam & Enderle: We both can honestly say that we never thought about running for an elected office when growing up. We worked in the offices and had the opportunity to run, so we did. It has been very rewarding to serve the residents of Scott County and be involved in the community.



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Dallas County Treasurer Becky Schofield has served since 1995.

Who in your family was an elected official?

My father was elected north judge (which is now called commissioner) in 1976. He served six years and then four years as a presiding commissioner.

My grandmother was elected Buffalo City police judge in 1962 and served until 1983. She could no longer serve because of her age.

Why did having family members who were elected officials play a role in your decision to run for office?

My father and grandmother were always active in local government. I grew up listening to and observing them. They sincerely enjoyed it, and I know that can make a difference in our community. I saw that politics can be fun, and as we all know, politics can drive you crazy too!

What lessons did you learn from your family?

Lessons that I learned from my father and grandmother – honesty and fairness.... People that worked for the county when my dad was a commissioner still tell me today that he was always fair and honest. He has always lived by the adage, “treat others the way you would like to be treated.” My grandmother loved young people. When they would come before her with a city violation, she would listen and try to give second chances.

Do you have any funny stories about their position?

My sister and I were in Jamaica on an election day that my dad was running for commissioner. He had promised that he would call us with the results. He left a message with the hotel front desk (no cell phones). They came and told us that our father had won the election. They were so excited for us, thinking he had just won president!




Schofield and her father

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