

A snapshot of the Perry County Senior Service Tax Commission

On April 08, 2008 Perry County Voters approved Prop "B". This imposed a $\frac{1}{4}$ of 1% sales tax increase. $\frac{1}{8}$ of this tax money collected is to be used to fund senior services provided by Perry County the other $\frac{1}{8}$ will be used to fund youth programs provided by Perry County.

After approval the next step was to determine how the senior tax usage, was to be administered. A board, appointed by the Perry County Commissioners, was made up of 7 Perry County residents. This board met and the Perry County Senior Service Tax Commission or PCSSTC was created.

With the board in place we recognized the need to know what issues were most important to the seniors in Perry County. We chose to solicit input from as many people as possible. We placed an ad in the Republic Monitor. This ad had a printed form for people to fill out, and prioritize what they felt was the most important issues seniors faced. The forms were also placed @ the Perry County Senior Center, and were given to all riders on SMTS vehicles.

The forms were collected, analyzed and the top 3 items were the ones we chose to focus on first.

#1 Senior Service Information:

People in the Perry County community, people wanting information who might be thinking of moving here, or had an elderly parent or relative who resided here, did not have a central way to find out what we, as a county, had to offer for seniors. Our attempt to create a web site, just for PCSSTC, failed. It became a good fit to be put on the Perry County web site. From this site you can get senior info, contacts to get more information or have questions answered, blank grant applications, etc.

Another integral part of Senior Service Information needs, was the many seniors who said they needed help filling out paperwork. Things like bank statements, insurance forms, applications, Medicare enrollment, etc.

An organization, that is with Southeast Missouri State University in Cape Girardeau, called A.P.P.L.E. comes to both the Perryville Senior Center and the Altenburg Senior Center to address this need. Seniors can set up an appointment with an A.P.P.L.E. representative and get the help they need. I understand that they are a wonderful to work with and much appreciated.

#2 Nutrition:

Nutrition was the next item on the list. Before passage of Prop "B" there just was not enough money available to see that every homebound senior, that wanted/needed a hot meal delivered to them, at their home, could have one each day in the far outer areas of Perry County. With the tax money now the entire county is served. Another nutritional area needing attention was the east end. The residents there had to travel to Perryville, each day to get a hot meal. With the passage of Prop "B" there is now an Altenburg Senior Center, funded entirely by the senior tax. Another benefit of this center, allows better distribution of the homebound meals in the outlying area.

Another important part of providing Nutritional support, is the partial funding we give to the St. Vincent and Immanuel Lutheran Food Pantry's. With all that is going on in the country today the need for assistance, to a lot of seniors, is rapidly growing.

In the case of St. Vincent they give out a \$15.00 monthly food voucher. Any eligible senior can apply for a voucher monthly which offers a little extra help with nutrition. These vouchers can be redeemed at Rozier's Food Store and Al/Kev's. The administrators at the SV Food Pantry, keep meticulous records, to ensure only eligible seniors receive one, that they are redeemed within 2 weeks and only eligible items are purchased. The need here has grown so much that they frequently run out of tax money before the quarter is over.

#3 Transportation:

With the passage of the senior tax Southeast Missouri Transportation Service, SMTS, has expanded their hours of operation to give the senior's more flexibility. They have also expanded the areas they service, for Perry County Seniors. The seniors can now get transportation to Jackson, Cape Girardeau, Ste. Genevieve, and using a relay system even to St. Louis.

An interesting part of the transportation needs being addressed, is the senior workers @ United Enterprises, formerly The Sheltered Workshop, now have the means to get to and from work in a consistent manner.

At the onset of the PCSSTC we knew we needed to have a set of Policies and By- Laws in place. Guidelines to award and monitor, Not For Profit organizations, applying for grant money. Kim Moore graciously did this work for the board, oversaw and wrote the contracts, and answered thousands of our questions. He did all of this for us Pro Bono.

The members of the PCSSTC board take their duties at being advocates for the Perry County Seniors very seriously and watch very carefully how the collected tax monies are being spent and distributed. As a board we have very little overhead.

Over the years the needs of Perry County Seniors has had a bit of an evolution. The Perry County Hospital staff has created a world class Dementia program that encompasses both seniors with dementia and their caregivers. If you are not aware of this program it would be well worth your while to find out more information about it. You might even know of a senior in need of this program.

One last area I would like to single out is the tax support we give to the Perry County Health Department. This allows seniors to get help with receiving preventative immunizations such as Flu Shots, Pneumonia and Shingles shots.

There are many more tax fund, grant recipients, all chartered to be of assistance to Perry County Seniors, that receive tax dollars @ year. I just gave you some of them in the 3 major areas identified from the input forms.

In the beginning of the PCSSTCS we ran an ad and accepted large grants 2X @ year in May and November. With the tax revenue fluctuating as much as it does, it became almost impossible for the board to plan an accurate budget. We now advertise and accept large grants 1X @ year in November. We strive to give out the full, awarded grant. It is painful to all concerned to have to cut part of the grant, because of less tax receipts than estimated. Small or mini grants, that are \$2000.00 or less are still accepted through out the year. Each, not for profit organization, may apply for a mini grant up to 2X during the fiscal year.

A breakdown of Received and Disbursed tax monies allotted to the PCSSTC from 2010 through a partial report from 2017 is attached.

PCSSTC Funding Policy

PERRY COUNTY SENIOR SERVICES TAX COMMISSION POLICY

Draft No. 08-03

Policy No. 08-02

REQUEST FOR PROPOSAL (RFP) OF FUNDING

Purpose

The Perry County Senior Services Tax Commission (the "Commission") may request that proposals be presented that will provide the goods and/or services required to fulfill the identifiable needs of Perry County residents 55 years of age or older. The Commission may allow not for profit organizations, or other entities to submit requests for funding of projects, programs, goods, or services as related to needs established.

Commission Responsibilities

1. Expenditure of funds on any such requests will adhere to any existing Commission policies and shall be consistent with all statutes governing the expenditure of public funds. Requests for funding may be considered on a "case by case" basis and shall be approved only by a majority vote of the Commission's membership. No funds will be granted to support the construction of a new facility, building or for new construction as an addition to an existing facility or building. Funds will be considered for grants when construction is intended to repair an existing facility or building, especially where health and safety is the objective of such construction.
- 2 The Commission shall use the funds in the Senior Citizens' Services Fund to provide programs which will improve the health, nutrition, and quality of life of persons who are 55 years of age or older.
3. The Commission will publicly advertise RFP for 3 concurrent weeks in the local media. The Commission shall include the priority identifiable needs as determined by the Commission from time to time based on surveys and other community research.
4. The Commission will provide an Application Form providing the information and format of an RFP. This Application Form will contain, at a minimum, the following information:
 - a. Cover sheet to include contact person(s), last date to submit proposal, date and time of bid opening, inspection requirements, and brief description of the Commission and statement of Commission's purpose.
 - b. Signature page
 - c. Required description of service or goods requested
 - d. RFP will include the contract which will detail invoicing requirements, billing and payment procedures, and method of dispute settlement.
 - e. RFP should include basic requirements plus enhancements and the system the Commission will use to analyze proposal.
 - f. RFP and contract should include method for performance audit, monitoring procedures, and method of monitoring compliance.

g. RFP will be posted on a designated public bulletin board in addition to advertisement in media and any direct mailings. RFP's will be available from the Commission Office or the Office of the Perry County Clerk.

5. The Commission shall not discriminate against any qualified bidder and will maintain a posture of accountability, equity, fairness, and public disclosure.

6. Requests for funding must be properly placed on the agenda in accordance with Commission policies. The Commission reserves the right to delay action on any request until such time as sufficient information has been provided and ample consideration has been given.

7. Service Providers Responsibilities

a. Submission of RFP's to the Commission: Seven copies and the original RFP must be submitted to the designated depository no later than 4:00 P.M. on the 2nd Friday of November, ~~and the 2nd Friday of May~~. Late proposals are subject to rejection. The Commission may establish a procedure to accept additional funding requests from time to time.

b. Financial Reporting

i. Service Providers, who have been granted a request from the Commission, shall submit quarterly reports which include each month of operation for the period from the most recently submitted report, for at least one year and a year end financial report showing how grant monies are being spent to provide services to Senior Citizens residing in Perry County.

ii. The Commission shall have the right at reasonable times and upon reasonable notice to the Service Provider to inspect the books and records of the Service Provider and to retain the services of a consultant or CPA to audit the books and activities of the Service Provider for a period of two years after the year of any grant or funding payment from the Commission to the Service Provider.

Policy Adopted: Perry County Senior Services Tax Commission

Date: ~~October 8, 2008~~

Policy No. 08-02

TRULY AGREED TO AND FINALLY PASSED

PERRY COUNTY ORDINANCE NO. 08-01

As Amended July 17, 2017

Perry County Commission

**AN ORDINANCE PROVIDING FOR THE CREATION OF
A SENIOR SERVICES TAX COMMISSION
AS AUTHORIZED BY SECTION 67.997(9) RSMO
AND AS ADOPTED
BY THE PERRY COUNTY COMMISSION**

Whereas, the state of Missouri has granted County Commissions authority to create a Senior Services Tax Commission pursuant to Section 67.997(9); and,

Whereas, a majority of the voters of Perry County have authorized the tax as provided in Section 67.997 at a duly authorized election; and,

Whereas, the County Commission is directed to create a Senior Services Tax Commission to administer the portion of the sales tax revenue dedicated to providing senior services pursuant to Section 67.997 RSMo; and,

Whereas, the County Commission shall determine the qualifications, terms of office, compensation, powers, duties, restrictions, procedures and all other necessary functions of the Senior Services Tax Commission.

NOW THEREFORE BE IT ORDAINED by the Perry County Commission as follows:

Section 1. There is hereby created the Perry County Senior Services Tax Commission (the "Tax Commission") effective immediately upon adoption of this Ordinance.

Section 2. The Commission shall consist of seven (7) members appointed by the County Commission as follows: two (2) members to be designated by the District 1 County Commissioner, two (2) members to be designated by the District 2 County Commissioner, two (2) members to be designated by the Presiding Commissioner and the seventh member to be designated at large by a majority vote of the County Commission. County Commissioners shall identify their respective appointees with the effective date of the appointment and such appointment shall be recorded by the County Clerk in writing.

Section 3. Each Tax Commission member shall be a Perry County resident and registered voter for one (1) year next preceding his or her appointment and during the time he or she serves as a member of the Tax Commission. No Tax Commission member shall receive directly or indirectly any money derived from the senior services sales tax revenues, except as provided in this Ordinance.

Section 4. The initial members appointed to the Tax Commission shall hold office, two for one year, two for two years and three for three years from the first of August following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the County Commission shall, before the first of August of each year, appoint as set out herein members, who shall hold office for three years and until their successors are appointed.

Vacancies shall be filled in the same manner as for original appointment to the Tax Commission and such appointee to the vacancy shall complete the unexpired term for the vacancy to which appointed.

Section 5. The Tax Commission members shall serve without compensation for their services, but they may be reimbursed for reasonable expenses incurred in carrying out their services, provided such expenses are consistent with Perry County approved budgets and Perry County's expense reimbursement policies and procedures.

Section 6. The Tax Commission shall have the following duties:

- a. No later than December 15th of each year, develop an annual budget for expenditure of the senior services sales tax, including a reserve fund, to be submitted to the County Commission for review and adoption as a part of the annual Perry County Budget consistent with the policies and procedures established for Perry County budget submission; and
- b. Establish bylaws, policies and procedures for the operation of the Tax Commission, to guide administrative operations and services delivery consistent with Perry County policies and procedures and for the review of proposals for senior services in Perry County to be funded from the senior services sales tax; and
- c. Review and recommend contracts for senior services to manage and implement the senior services approved by the Tax Commission be consistent with state and county bidding laws and regulations; and
- d. Review and generally oversee the delivery of approved operations, services and programs consistent with the requirements of law; and
- e. Provide reports of the expenditures allocated to the senior services' budget, such reports to be filed with the County Clerk at least semi-annually; and
- f. Provide an annual report to the County Commission setting out the services receiving Tax Commission funds and including information on the persons served, and including recommendations for continuation or elimination of services, and such other functional and program recommendations as appropriate; and
- g. Conduct meetings at least quarterly in accordance with all of the requirements of the Missouri Sunshine Law related to meetings and records; and

- h. Conduct an annual meeting no later than the end of November of each calendar year to approve the annual report for the past operating year and to elect the officers of the Tax Commission. *
- i. Monitor the reporting and maintenance of regular and financial records of the Tax Commission and to insure compliance with this Ordinance; and
- j. Call upon the County Commission for advice and counsel as the Tax Commission deems needed for the benefit of the senior services in Perry County.

Section 7. The sections of this Ordinance shall be severable. If any section of this Ordinance is found by a court of competent jurisdiction to be invalid, the remaining sections shall remain valid, unless the court finds that: (i) the valid sections are so essential to and inseparably connected with and dependent upon the void section that it cannot be presumed that the County Commission has or would have enacted the valid sections without the void ones; and (ii) the valid sections, standing alone, are incomplete and are incapable of being executed in accordance with the legislative intent.

Section 8. This Ordinance shall be in full force and effect from and after the date of its passage and approval by the County Commission.

That this Ordinance is adopted on this 11th day of August, 2008, by action of the Perry County Commission, to become effective as of this 1st day of September, 2008.

As Amended on this 17th day of July 2017, by action of the Perry County Commission, to become effective as of the 17th day of July 2017.

Adopted by record vote as follows:

Carl Luchtel Jr.
Presiding Commissioner

AYE _____ NAY

Jay Wengert
District 1 Commissioner

AYE _____ NAY

District 2 Commissioner

NP _____ AYE _____ NAY

ATTEST:

[Signature]
Perry County Clerk

The following language was removed from ordinance section four (4) paragraph two (2) by Commission amendment July 17, 2017 at the unanimous request of existing board members.

“Tax Commission members may be reappointed to serve a total of three (3) consecutive terms.”

jk

**PERRY COUNTY SENIOR SERVICES TAX COMMISSION
POLICY**

Draft No. 08-01

Policy No. 08-01

BOARD MEETINGS

A. Unless otherwise indicated, the regular meeting of the Board shall occur on the second Wednesday of January, April, July, October, and November at 3:00 P.M. in the Perry County Administration Annex 911 meeting room (basement). A schedule of Board meetings shall be published on the Public Notice bulletin board of the Perry County Administration Building at least 2 weeks prior to the Board Meetings, unless circumstances preclude the advance time for prior posting.

B. The Order of Business for Commission meetings shall be as follows:

- 1. Approval of the Agenda**
- 2. Statements by Public**
- 3. Proceedings of the previous meetings shall be read and the minutes approved.**
- 4. Treasurer Report**
- 5. Reports of Officers and Committee Reports**

All such reports shall be accepted and approved by the Board.

- 6. Petitions, requests, complaints and communications from the public**
- 7. New Business**

waived by a majority vote of the Board members present.

H. The Board may adjourn sine die (without a day specified for a future meeting) any regular meeting at which there is no quorum present or that runs more than two hours in length. Extension of the meeting beyond this time frame shall require a majority vote of those members present.

I. All meetings shall be governed by Roberts Rules of Order.

Policy Adopted: Perry County Senior Services Tax Commission

Date: December 04, 2017

Policy No. 08-01

PERRY COUNTY SENIOR SERVICES TAX COMMISSION POLICY

Draft No. 08-03

Policy No. 08-02

REQUEST FOR PROPOSAL (RFP) OF FUNDING

A. Purpose

1. The Perry County Senior Services Tax Commission (the "Commission") may request that proposals be presented that will provide the goods and/or services required to fulfill the identifiable needs of Perry County residents 55 years of age or older. The Commission may allow not for profit organizations, or other entities to submit requests for funding of projects, programs, goods, or services as related to needs established.

B. Commission Responsibilities

1. Expenditure of funds on any such requests will adhere to any existing Commission policies and shall be consistent with all statutes governing the expenditure of public funds. Requests for funding may be considered on a "case by case" basis and shall be approved only by a majority vote of the Commission's membership. No funds will be granted to support the construction of a new facility, building or for new construction as an addition to an existing facility or building. Funds will be considered for grants when construction is intended to repair an existing facility or building, especially where health and safety is the objective of such construction.

2 The Commission shall use the funds in the Senior Citizens' Services Fund to provide programs which will improve the health, nutrition, and quality of life of persons who are 55 years of age or older.

3 The Commission will publicly advertise RFP for 3 concurrent weeks in the local media. The Commission shall include the priority identifiable needs as determined by the Commission from time to time based on surveys and other community research.

4. The Commission will provide an Application Form providing the information and format of an RFP. This

Application Form will contain, at a minimum, the following information:

- a. **Cover sheet to include contact person(s), last date to submit proposal, date and time of bid opening, inspection requirements, and brief description of the Commission and statement of Commission's purpose.**
 - b. **Signature page**
 - c. **Required description of service or goods requested**
 - d. **RFP will include the contract which will detail invoicing requirements, billing and payment procedures, and method of dispute settlement.**
 - e. **RFP should include basic requirements plus enhancements and the system the Commission will use to analyze proposal.**
 - f. **RFP and contract should include method for performance audit, monitoring procedures, and method of monitoring compliance.**
 - g. **RFP will be posted on a designated public bulletin board in addition to advertisement in media and any direct mailings. RFP's will be available from the Commission Office or the Office of the Perry County Clerk.**
- 5. The Commission shall not discriminate against any qualified bidder and will maintain a posture of accountability, equity, fairness, and public disclosure.**
- 6. Requests for funding must be properly placed on the agenda in accordance with Commission policies. The Commission reserves the right to delay action on any request until such time as sufficient information has been provided and ample consideration has been given.**
- 7. Service Providers Responsibilities**
- a. **Submission of RFP's to the Commission: Seven copies and the original RFP must be submitted to the designated depository no later than 4:00 P.M. on the 2nd Friday of November and the 2nd Friday of May.**

Late proposals are subject to rejection. The Commission may establish a procedure to accept additional funding requests from time to time.

b. Financial Reporting

i. Service Providers, who have been granted a request from the Commission, shall submit monthly reports, for at least one year and a year end financial report showing how grant monies are being spent to provide services to Senior Citizens residing in Perry County.

ii. The Commission shall have the right at reasonable times and upon reasonable notice to the Service Provider to inspect the books and records of the Service Provider and to retain the services of a consultant or CPA to audit the books and activities of the Service Provider for a period of two years after the year of any grant or funding payment from the Commission to the Service Provider.

Policy Adopted: Perry County Senior Services Tax Commission

Date: October 8, 2008

Policy No. 08-02

PERRY COUNTY SENIOR SERVICES TAX COMMISSION POLICY

Draft No. 08-03

Policy No. 08-03

FISCAL MANAGEMENT GOALS AND OBJECTIVES

A. The Perry County Senior Services Tax Commission (the "Commission") shall:

- 1. Encourage advance planning through the best possible budget procedures;**
- 2. Explore all practical and legal sources of dollar income;**
- 3. Guide the expenditure of funds so as to achieve the greatest return on investment;**
- 4. Require efficient accounting and reporting procedures;**
- 5. Adhere to the legal and moral obligations to protect all monies entrusted to the Commission.**

ANNUAL BUDGET

A. The Commission shall prepare an annual budget for each fiscal year containing at a minimum the items required in Chapter 67.010 RSMo. By December 15 of each fiscal year. The fiscal year shall be from January 1 through December 31. Resources will be allocated to those areas of greatest need or priority. Any expenditures in excess of a budgeted amount and any amendment to the approved budget shall require Commission approval.

DEPOSITORY OF FUNDS

A. The Commission shall annually review the depositories and determine the distribution of Commission monies. The selection of the depository shall be made through procurement/bidding procedures established by the Commission. Commission monies shall be so deposited as to return the maximum yield possible consistent with the security required. The Commission shall require pledged securities to protect all monies.

AUTHORIZED SIGNATURES

A. The Treasurer and one other Officer of the Commission shall sign all checks issued by the Commission. The authorized co-signers of checks are designated as the Treasurer, Chairperson, or Vice Chairperson. These names

will be provided, by the Treasurer, to the appropriate Bank and Insurance Company. No facsimile signatures shall be authorized by the Commission.

ACCOUNTING SYSTEM

- A. The Treasurer shall provide a system of obligation accounting and submit a report at each regularly scheduled monthly meeting. The monthly reports will reflect obligation, amounts paid, and balances as of the last day of the preceding month.**

- B. Monthly reports will be filed with the Commission.**

- C. The Commission will take reasonable steps to ensure that the funds granted to Service Providers are utilized in accordance with the terms of the funding agreement and any RFP submitted by the Service Provider. The Commission shall require, at a minimum the following:**
 - 1. Financial Reporting. Service Providers, who have been granted a request from the Commission, shall submit monthly reports, for at least one year and a year end financial report showing how grant monies are being spent to provide services to Senior Citizens residing in Perry County.**

 - 2. The Commission shall have the right at reasonable times and upon reasonable notice to the Service Provider to inspect the books and records of the Service Provider and to retain the services of a consultant or CPA to audit the books and activities of the Service Provider for a period of two years after the year of any grant or funding payment from the Commission to the Service Provider.**

Policy Adopted: Perry County Senior Services Tax Commission

Date: October 8, 2008

Policy No. 08-03

PERRY COUNTY SENIOR SERVICES TAX COMMISSION POLICY

Draft No. 08-04

Policy No. 08-04

OPEN MEETINGS AND RECORDS POLICY

Section 1. Custodian of Records Designated.

The Secretary of the Commission is hereby designated as the "custodian of records" for the Senior Services Tax Commission (the "Commission"). Such designation does not mean that the Secretary will necessarily have all the records in his or her possession, but simply is an indication of the person to whom requests for copies of records and information regarding the Commission shall be directed. Requests for records made to persons other than the Secretary shall not be considered to be requests that are made pursuant to the Missouri Sunshine Law, Chapter 610 RSMO. Nonetheless, any official or employee of the Commission who receives a request is directed to inform the Secretary of the request in a timely fashion, so that a response may be made to the request.

Section 2. How Records are Requested.

All requests for records, notices, or information shall be in writing, and shall be accompanied by a deposit of the estimated cost of reproducing the requested information. Oral requests, if received by the Secretary, shall be immediately recorded in written form to document the same. Any request received by the Secretary shall be initialed by the Secretary, with the date and time of receipt noted.

Section 3. Response Desired to be Noted on Request.

The requesting party shall indicate on the request the manner in which a response is desired. In the absence of instructions to the contrary, it will be assumed that the requesting party desires to receive a response in the same form as the original request. (Example, if someone stops by the Commission and requests copies of documents, it will be assumed that the requesting party will stop by the Commission later to pick up the documents. But if someone mails a request to the Commission business address, it will be assumed that a mailed response is desired).

Section 4. Response Within 3 Business Days.

The custodian of records shall respond to the request within 3 business days of its receipt. A "business day" is a day when the County offices are open for the conduct of County business during its normal business hours. While it is desirable that the entire transaction be completed within 3 business days, there may be circumstances where clarification or explanation of the request is necessary, or where it may be necessary to provide only part of the requested information while searches are made to find copies of other documents requested.

Section 5. Documentation of Response.

The custodian of records shall document the response provided either by (1) making an extra copy of the response and attaching it to the original request, (2) noting on the request what documents were provided, or (3) keeping a copy of any letter or note requesting additional information in order to process the request.

Section 6. Request for Searches.

A request for copies of "all documents" or "every document" of a particular sort involves a request to search through every record of the Commission in order for the Commission to certify that it has provided "all" or "every" document. Such searches are expensive. Similarly, a request for records compiled in a format differing from the format in which the records are customarily retained is a request for a search and compilation, and can be expensive. As a general rule, the Custodian of Records is not expected to engage in extensive searches or compilations. Any search request that will require more than 15 minutes of the Custodian's time will be refused without a substantial advance deposit for the estimated time required to search for the records.

Section 7. Fees for Retrieval and Copies.

A. Fees for search, retrieval, accompanying, and returning to their proper storage all Commission documents shall be:

- i. For a search of 15 minutes or less---no retrieval fee
- ii. For a search, retrieval, accompanying, and return of documents requiring more than 15 minutes---\$4 for each

period of 15 minutes or less, including the first 15 minute period.

B. Fees for copies of documents shall be:

i. For copies than can be made on the Commission's copy machine or other equipment available at the Commission business address---10 cents per side of a page.

ii. For copies that must be made elsewhere---the actual charges imposed for making the copies (including any taxes imposed) as well as the fee provided above for search, retrieval, accompanying, and returning to proper storage.

Section 8. Inspection of Records.

1. To reduce the cost to both the requesting party and the Commission, the Custodian of Records may permit a physical inspection of the records by the requesting party to help specify what documents are needed. The Custodian may impose such security as is deemed appropriate to ensure that no record is removed from the Commission files. The requesting party shall pay the cost of that security at the rate provided in Section 6(B)(i).

Section 9. Waiver of Fees.

The Custodian of Records is empowered to waive the collection of any of the fees totaling less than \$1 provided in Section 6 above to any citizen of Perry County requesting documents from the Commission, or to any representative of news media that routinely sends a reporter to cover meetings of the Commission. No person or organization shall receive more than 3 such waivers in any 12 month period.

Section 10. Closed Records and Votes.

All records of the Commission which are permitted to be closed records by reason of the Sunshine Law or by any other statute of Missouri, or by any statute or regulation of the United States government shall be maintained as closed records. No such closed record shall be released to any person who is not a member of the Commission, except that the Commission's auditor may see such records as are reasonably necessary to prepare an audit report as requested by the Commission and the Commission's attorney may see such records as are reasonably necessary to represent the Commission. Requests that closed records be opened to public inspection will be considered on a case-by-case basis by the Commission.

Section 11. Subpoenas for Closed Records.

No subpoena for a closed record shall be honored. All such subpoenas shall be referred to the Commission attorney for a response, and for a motion to quash the subpoena. The only exception to this requirement that will be recognized is a subpoena from a grand jury.

Section 12. Public Notice Board.

The Commission shall establish a fixed place where all public notices and agenda will be posted. This notice board should be in a place that is accessible to members of the public at times when the Commission office is open.

Section 13. Penalty for Disclosure of Closed Records.

Any Commission member, person employed or working for the Commission, or who has been entrusted with a record that is marked to indicate that it is "confidential" or a "closed record", or who has been invited to participate in a closed meeting who nonetheless discloses any closed record, or any information about the contents of any closed meeting to any person may be subject to the termination of their employment as a result of such disclosure. Any such person who is an appointed Commission member may also be subject to removal from the Commission as a result of such disclosure.

Policy Adopted: Perry County Senior Services Tax Commission

Date: October 8, 2008

Policy No. 08-04

**PERRY COUNTY SENIOR SERVICES TAX COMMISSION
POLICY**

Draft No. 08-05

Policy No. 08-05

BIDDING AND PURCHASING

A. All purchases, whether by competitive bid or otherwise, shall take into consideration the quality of the articles and supplies, their conformity with developed specifications, their suitability, and delivery terms. All other things being equal, contracts should be awarded and purchases made from an entity having a physical presence in Perry County.

**ARTICLE I.
GENERAL PROVISIONS**

1. Except as otherwise provided in this Article, it shall be unlawful for any officer or officers of the Commission to make any contract within the purview of this ARTICLE other than through the Commission, and any contract made contrary to the provisions of this article shall not be approved by the Commission, and the Commission shall not be bound thereby.

2. In the event of an actual emergency which occurs at times other than regular business hours, the President of the Commission with the approval of the Executive Committee may purchase directly any supplies whose immediate procurement is essential to prevent delays in the work of the using agency which may affect the life, health or property or a serious interruption of the operation of a required service. Each such emergency purchase shall be reported in writing to the Commission as soon as possible, but in no event later than ten calendar days following the date on which the purchase is made; and such report shall include a detailed explanation of the nature of the emergency, as well as the reasons necessitating the purchase. The report shall be made

a part of the permanent records of the Commission and be open to public inspection.

3. The Commission shall require quotations or telephone bids from at least two (2) businesses or vendors on all purchases of items of value of more than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00). The names of the businesses submitting quotations, the date and the amount of each quotation shall be recorded and maintained. The lowest and best bid shall be selected upon consultation with the appropriate department head.

4. The Commission shall request written bids from at least three (3) businesses or vendors on all purchases of items of value of more than five hundred dollars (\$500.00) and not more than one thousand five hundred dollars (\$1,500.00). The names of the businesses submitting quotations, the date and the amount of each quotation shall be recorded and maintained. The lowest and best bid shall be selected by the finance department upon consultation with the appropriate department head.

5. The Commission shall advertise for sealed bids as authorized by Article I on any requisition involving more than one thousand five hundred dollars (\$1,500.00) allowing a minimum of fourteen (14) days before bids are received and opened.

6. Except as authorized by Article III, all purchases over one thousand five hundred dollars (\$1,500.00) shall be made pursuant to competitive proposals, and shall be let to the party who makes the best proposal as defined herein.

(a) The solicitation of bid proposals by newspaper publication shall not be required. The Commission may adopt such policies to advertise intended purchases as are reasonably calculated to provide adequate competition among vendors within the county, including, but not limited to, the

direct solicitation of proposals from known vendors and electronic postings of bid data.

(b) The Commission may adopt policies under which notice is given exclusively to prequalified vendors and identify other forms and procedures for the issuance of notice.

(c) Awards shall be determined by and be based upon the best proposal, which in the discretion of the Commission is the proposal that most adequately meets the needs of the Commission or using agency at the lowest price. In determining the best proposal, in addition to price, the Commission may consider:

(1) Quality, availability and functional or other suitability of the personal property, or contractual services to the particular use intended.

(2) Other factors, including, but not limited to, the following: the ability, capacity and skill of the bidder to perform the contract or provide the service required; whether the bidder can perform the contract or provide the service promptly, or within the time specified, without delay or interference; the character, integrity, reputation, judgment, experience and efficiency of the bidder; the quality of performance of previous contracts or services; the previous and existing compliance by the bidder with laws and ordinances relating to the contract or service; the sufficiency of the financial resources and ability of the bidder to perform the contract or provide the service; the ability of the bidder to provide future maintenance and service for the use of the subject of the contract; the number and scope of conditions attached to the bid.

(3) Whether the bidder is in default on the payment of taxes, licenses or other moneys due. This factor alone shall justify disqualification.

(4) With respect to acquisitions of title to personal property or the use of personal property by rental, lease or otherwise, the best proposal shall, as to products that equally satisfy intended uses, be the one submitted by a responsible bidder at the lowest price.

(5) When two or more proposals for the sale, rental, or lease of personal property are the same, the Commission shall give preference to the lowest responsible bidder within Perry County who offers to supply items raised, grown, manufactured, fabricated, processed or assembled in the County, if price, quality, service and other factors are equal.

7. Purchases may, but need not be, let pursuant to competitive proposals under the following circumstances:

(a) When the aggregate or cumulative price to be paid under the purchase contract is one thousand five hundred dollars (\$1,500) or less; or

(b) In the event of an emergency; or

(c) When a patented or proprietary item is being purchased; or

(d) When purchases are made by, through, or with the Division of Procurement of the State of Missouri or any other governmental agency or unit with whom the Commission is permitted to engage in cooperative purchasing.

ARTICLE II. PROHIBITED PRACTICES.

1. The following practices are prohibited:

(a) Collusion among bidders. Any agreement or collusion among bidders or prospective bidders to either buy or sell, in restraint of freedom of competition, be it agreement to bid a fixed price, or otherwise, shall render the bids of such bidders void. Such bidders may be subject to possible exclusion from future bidding with the Commission when determined by the Commission to be in the best interest of the Commission.

(b) Disclosure of formal bid contents. Any disclosure in advance of the opening bids, or any information contained in the sealed or formal bid, made or permitted by a Commission member or employee may render each bid void either by the Commission or the parties submitting bids. Appropriate disciplinary action shall be taken against both the persons

revealing the information and the persons using the information. Notwithstanding anything herein to the contrary, all bids submitted by bidders taking advantage of any information revealed contrary to this section shall at once become null and void.

(c) Gratuities. With the exception of normal business and social courtesies, or donations publicly given and accepted, the acceptance of any gift or gratuity in the form of cash, merchandise or any other thing of significant value by a member, officer or employee of the Commission from any vendor or contractor, or prospective vendor or contractor, shall be prohibited.

(d) Member or Employee owned businesses. Commission goods or services shall not be obtained from businesses in which Commission members or employees have a direct or indirect financial interest.

(e) Sale of materials and supplies. The Commission shall not use its purchasing power or lend its credit to acquire goods or services for any private party, not shall the Commission sell its materials or supplies to Commission members, officers, employees, or the public except when said materials have been declared surplus and disposed of as provided herein.

ARTICLE III.

PROFESSIONAL SERVICE PROCUREMENT PROCEDURE

The following words and/or phrases shall have the following meanings as set out herein:

Commission member or officer. Any appointed member of the Perry County Senior Services Tax Commission or an officer thereof. employee, consultant, person in the category of other personal service or any other person receiving compensation from the Commission.

Firm. Any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice architecture, engineering, or land surveying on the State of Missouri, or to provide professional services as described herein.

Professional services. The term " professional services " may encompass the services provided by planning consultants, accountants, other person or firms providing consulting services; services within the scope of practice of architecture, engineering, or land surveying, or those performed by any architect, professional engineer, or registered land surveyor in connection with this profession, employment or practice and attorneys at law, providing legal services to the Commission, Commission officials and Commission employees, both temporary and permanent.

1. Competitive Selection of Professional Services.

(a) The Commission, for each proposed project, shall evaluate current statements of qualifications and performance data on file with the Commission, together with that which may be submitted by other firms regarding the proposed project, and shall conduct discussions with and may require public presentations by no less than three (3) firms regarding their qualifications, approach to the project and ability to furnish the required service.

(b) The Commission shall select no less than three (3) firms in order of preference, deemed to be most highly qualified to perform the required services, after considering such factors as the ability of professional personnel, past performance, willingness to meet time and budget requirements, location, recent, current and projected work loads of the firms and the volume of work previously awarded to the firm by the Commission, with the object of effecting an equitable distribution of contracts among qualified firms; providing, however, that such distribution does not violate the principle of selection of the most highly qualified firms.

Policy Adopted: Perry County Senior Services Tax Commission

Date: 11-19-08

Policy No. 08-05

BYLAWS OF
PERRY COUNTY SENIOR SERVICES TAX COMMISSION

ARTICLE I
OFFICE AND RECORDS

1. Principal Office. The principal office and location of the Commission shall be at Office of the County Clerk, Perry County Administration Building, Perryville, Mo. 63775 or at such other place as the Commission may designate.

2. Records. The Commission shall keep complete and accurate books and records of account and minutes of the proceedings of the Commission and of any committee created by the Commission. It is the policy of the Commission to subject itself to the provisions of Mo. Rev. Stat. Chapter 610, as amended, the regulations promulgated thereto, or the corresponding provision of any applicable future law or regulations related to the same subject matter as though the corporation were a public governmental body insofar as they can be made applicable and are not inconsistent with the Commission's By-laws; provided that no action of the Commission can be invalidated for having failed to abide by the provisions of Chapter 610; provided further that neither the Commission nor any of its officers, directors, employees or agents shall be liable for any monetary damages or fines for violation of Chapter 610; and provided further that, in addition to those matters listed in Chapter 610, the Commission is authorized to close meetings, records and votes to the extent that they are related to (a) investment decisions or investments (including the purchase or sale of any properties or securities) made by the Commission, (b) the processes of the Commission in identifying qualified individuals to be nominated to fill staff positions, and (c) the deliberative process relating to the Commission's grant award activities.

ARTICLE II
PURPOSES

*Nancy Moore
to work on
mission statement*

Purposes: The purpose of the Commission shall be to engage in, fund, carry on, conduct or take part in programs projects and services designed to improve the health, nutrition, circumstances and well being and enhance the quality of life of persons in Perry County who are fifty-five years of age or older.

ARTICLE III
FISCAL YEAR

Fiscal Year: The fiscal year of the Commission shall end on the 31st day of December of each year, provided, however, that in no case shall the fiscal year be modified so as to conflict with the provisions and requirements of exemption under the Internal Revenue Code or the maintenance of the status of the Commission thereunder.

ARTICLE IV
MEMBERS

1. Duties: The property, business and affairs of the Commission shall be controlled, conducted and managed by a Commission which may exercise all statutory powers of the

Commission as granted by law and by Ordinance of the Perry County Commission, and these Bylaws.

2. Number, Appointment and Qualification: The Commission shall consist of seven (7) members appointed by the County Commission as follows: two (2) members to be designated by the District 1 County Commissioner, two (2) members to be designated by the District 2 County Commissioner, two (2) members to be designated by the Presiding Commissioner and the seventh member to be designated at large by a majority vote of the County Commission. County Commissioners shall identify their respective appointees with the effective date of the appointment and such appointees' appointment shall be recorded by the County Clerk in writing.

Each Tax Commission member shall be a Perry County resident and registered voter for one (1) year next preceding his or her appointment and during the time he or she serves as a member of the Tax Commission.

3. Term of Office: The initial members appointed to the Tax Commission shall hold office, two for one year, two for two years and three for three years from the first of August following their appointment, and at their first regular meeting shall cast lots for their respective terms; and annually thereafter the County Commission shall, before the first of August of each year, appoint as set out herein members, who shall hold office for three years and until their successors are appointed. Tax Commission members may be reappointed to serve a total of three (3) consecutive terms.

4. Vacancies: A vacancy on the Commission caused by death, resignation, removal or otherwise, of an appointed Commission member shall be filled in the same manner as for original appointment to the Commission and such appointee to the vacancy shall complete the unexpired term for the vacancy to which appointed.

5. Meetings:

A. The Commission shall meet at such regular times and places as it may designate, but shall meet at least quarterly and once in annual meeting in December of each year, at which time the annual budget shall be approved. A quorum for any meeting of the Commission consists of a majority of the Commissioners in office immediately before a meeting begins. Special meetings of the Commission may be called by the Chairman of the Commission, or by at least three (3) Commissioners. Notwithstanding any other provisions of these bylaws relating to notice, at least twenty-four (24) hours written notice of any special meeting and five (5) days notice of the regular and annual meeting shall be given specifying the time and place of the meeting and any special purpose of the meeting. The attendance of a Commissioner at any meeting of the Commission shall constitute a waiver of notice except where a Commissioner attends a meeting for the express purpose of objecting to the transaction of any business because the meeting was not lawfully or properly called and convened. The Commission may permit its members to participate in a regular or special meeting by, or conduct the meeting through the use of any means of communication, including but not limited to telephonic, video or electronic communication, by which all

Commissioners participating may simultaneously hear each other during the meeting. A Commissioner participating in a meeting by this means is deemed to be present in person at the meeting. All meetings of the Board shall comply with Chapter 610 RSMo. (Missouri Sunshine Law).

B. Agenda A tentative agenda for each regular, special, or proposed closed meeting of the Board shall be prepared by the Secretary, in consultation with the Chairperson, and shall be available to the public. Any member of the Board may request items to be placed on the agenda. The tentative agenda, related materials, and minutes of the previous meeting shall be provided to each member at least three days prior to the stated meeting. The agenda for each meeting of the Board shall be adopted or modified by motion by a majority of those Board members present. Once the agenda is approved, it shall require a unanimous vote of the Board members present to make additional modifications.

(1) Closed or Executive Meetings.

The agenda for executive or closed sessions, as provided in 610.021 RSMo, may be on a separate document; however, the motion to close a meeting must be voted on during a public meeting and must also include the reasons for closing the meeting.

(2) Public Participation.

Any patron or group of patrons desiring to be included on the agenda for the purposes of addressing the Board shall make a request to the Chairperson or Secretary at least five days prior to the regular Board meeting. The request shall be submitted in writing and shall provide sufficient detail to explain fully the issue(s) to be discussed. Unless unusual circumstances dictate otherwise, the Board will not make a decision on an issue(s) presented by an individual representing a group during that particular meeting.

6. Power, Limitations: The Commission shall have and be vested with all powers and authority, granted to it by statute or ordinance, except as it may be expressly limited by law, ordinance or these Bylaws, to supervise, control, direct and manage the property, affairs and activities of the Commission, to determine the policies of the Commission, to do or cause to be done any or all lawful things for and on behalf of the Commission, to enter into agreements and to seek the effectuation of its purposes; provided, however, that: (i) the Commission shall not authorize or permit the Commission to engage in any activity not permitted to be transacted by a nonprofit Commission organized under the Missouri Non-Profit Commission Act and exempt from taxation under the laws of the State of Missouri and the United States, or (ii) which would affect the ability of the Commission to receive tax deductible contributions and qualifying under the applicable Section of the Internal Revenue Code, or any activity not permitted to be transacted by a county commission of the State of Missouri and none of the powers of the Commission shall be exercised to carry on activities, otherwise than as an insubstantial part of its activities, which are not in themselves in furtherance of the purposes of the Commission and (iii) all income and property of

the Commission shall be applied exclusively for its purposes. Further, the Commission shall not conduct itself so that any part of its net earnings shall inure to the benefit of, or be distributable to, members, Commissioners, officers or other private persons except that the Commission shall be authorized and empowered to pay reasonable compensation for services rendered.

7. Voting: All members of the Commission shall have one (1) vote and the act of the majority of the Commissioners present shall be the act of the Commission.

8. Resignation: A Commissioner may resign at any time by delivering written notice to the Commission, its presiding officer or the Chairman or secretary. A resignation is effective when the notice is delivered unless the notice specifies a later effective date. If a resignation is made effective at a later date, the Commission may fill the pending vacancy before the effective date if the Commission provides that the successor does not take office until the effective date.

9. Removal: Any one or more of the Commissioner may be removed, either with or without cause, by a vote of the majority of all Perry County Commissioners currently serving in office. Any Commissioner that misses three consecutive meetings may be removed by a vote of a majority of the Commissioners then in office.

10. Conflict Of Interest: A conflict of interest transaction is a transaction with the Commission in which a Commissioner of the Commission has a direct or indirect material financial interest. A conflict of interest transaction is not voidable or the basis for imposing liability on a noncompensated Commissioner if the transaction was not unfair to the Commission at the time it was entered into or is approved as provided in subsection A (1) of Section 10 of this ARTICLE IV.

A. A transaction in which a Commissioner of the Commission has a conflict of interest may be approved if:

- (1) The material facts of the transaction and director's interest were disclosed or known to the Commission or a committee of the Commission and the Commission or committee of the Commission authorized, approved, or ratified the transaction; or
- (2) The material facts of the transaction and the Commissioner's interest were disclosed or known to the members and they authorized, approved, or ratified the transaction.

B. For purposes of subsection A of Section 10 of this ARTICLE IV, a conflict of interest transaction is authorized, approved, or ratified if it receives the affirmative vote of a majority of the Commissioner on the Commission or on the committee, who have no direct or indirect interest in the transaction, but a transaction may not be authorized, approved, or ratified under this Section by a single Commissioner. If a majority of the Commissioners on the Commission, who have no direct or indirect interest in the transaction vote to authorize, approve or ratify the transaction, a quorum is present for the purpose of taking action under this Section. The presence of, or a vote cast by, a Commissioner with a material interest in the transaction does not affect the validity of

any action taken if the transaction is otherwise approved as provided in Subsection A of Section 10 of this ARTICLE

11. Action Without Meeting: Action required or permitted to be taken at a Commission meeting may be taken without a meeting if the action is taken by all members of the Commission. The action must be evidenced by one or more written consents describing the action taken, signed by each Commissioner, and included in the minutes filed with the Commission records reflecting the action taken.

ARTICLE V OFFICERS

1. Officers: Immediately following the appointment of the Commissioners, the Commission shall organize and elect officers and shall also elect officers annually at the annual meeting of the Commission, at which time, it shall elect from its number a Chairman, a vice-Chairman, a treasurer and a secretary, or in lieu of a separate treasurer and secretary, a secretary-treasurer. These officers upon election shall constitute the executive committee of the Commission.

2. Election and Term: The officers shall be elected for annual terms and shall hold office until their successor are duly elected and installed.

3. Removal: Any officer elected by the Commission may be removed at any time by majority of the entire Commission then serving.

4. Vacancies: A vacancy in any office caused by death, resignation, removal or otherwise, shall be filled by the Commission and the person filling the vacancy shall serve for the unexpired term.

5. Bond: The Commission may require the officers and agents of the Commission, or any of them, to give bond to the Commission, in sufficient amount and with sufficient surety to secure the performance of their duties and to comply with other conditions as the Commission may from time to time require.

ARTICLE VI DUTIES OF OFFICERS

1. Chairman: The Chairman shall supervise and control the business, property and affairs of the Commission subject to the authority herein given to the Commission and serve as chairman of the Commission presiding at all meetings of the Commission. The Chairman shall execute such deeds, contracts or other written instruments which the Commission has authorized to be executed except where the execution thereof shall be expressly delegated by the Commission to another officer or agent of the Commission. The Chairman shall perform all other duties incident to the office. The Chairman shall, subject to the approval of the Commission, appoint all committees (other than the executive committee established hereinabove) and shall be an ex officio

member of all committees.

2. Vice-Chairman: The vice-Chairman shall perform the duties and exercise the powers delegated by the Commission and the Chairman of the Commission. In the absence of the Chairman, the vice-Chairman shall perform the duties and exercise the powers of the Chairman.

3. Secretary: The secretary shall attend all meetings of the Commission and executive committee, and shall record votes and keep minutes of such meetings in a minute book provided for that purpose. The secretary shall give all notices in the manner required by the Bylaws of the Commission or by law. The secretary shall be the custodian of the Commission records and shall in general perform all duties incident to the office of secretary as well as any other duties as may be required by the Commission, executive committee or the Chairman, under whose supervision the secretary shall act. If the secretary is absent from a meeting, the Commission or executive committee may select any of their number to act as temporary secretary.

4. Treasurer: The treasurer shall attend all meetings of the Commission and executive committee, and shall have control and custody of the funds and securities of the Commission. The treasurer shall keep and maintain in the books and records of the Commission accurate accounts of receipts and disbursements and deposit moneys and valuable effects of the Commission in the name of the Commission in such depositories as the Commission and executive committee shall designate. The treasurer shall make disbursements of funds and securities of the Commission upon order of the Commission or executive committee and obtain proper vouchers therefor. The Treasurer shall execute to the Commission a bond in such sums and with such sureties as shall be satisfactory to the Board, conditioned upon faithful performance of such person's duties and for the restoration to the Commission of all books, papers, vouchers, money and other property of whatever kind in such person's possession or under such person's control belonging to the Commission. The cost of such bond shall be paid by the Commission. The treasurer shall report to the Commission and the executive committee at all meetings thereof concerning the financial condition of the Commission and the performance of his or her duties as treasurer.

5. Employees: The Commission may employ personnel for the Commission who shall have general charge of the daily operations of the Commission subject to the general direction of the officers, executive committee and Commission. Instead of employing such personnel, the Commission may contract with another entity for the purpose of providing the general staffing, supervision and operations of the Commission.

6. Combination of Offices: The Commission may combine the offices of secretary and treasurer and elect one person to fill both offices, and may combine such other offices as the Commission deems appropriate from time to time.

ARTICLE VII COMMITTEES

1. Executive Committee: The executive committee shall be composed of the officers and such additional members chosen by the Commission as may be necessary to constitute four

members. In the interim between meetings of the Commission, the executive committee shall have charge of the routine business of the Commission. It shall have general charge of the finances and property of the Commission and shall have authority to grant disbursements for necessary expenses and grant to any committee a reasonable amount of money for special work as previously approved by the Commission. At the beginning of each calendar year it shall prepare and submit to the Commission a budget for the general expenses of the Commission for that year. The executive committee may refer matters brought before it to a proper committee designated by the Commission. A majority of the executive committee shall be empowered to approve action by the executive committee and action taken by the executive committee shall be reported to the Commission at its next regular meeting for its information.

2. Other Committees: The Commission shall from time to time authorize and define the powers and duties of any and all committees, which committees shall be appointed, subject to confirmation by the Commission, by the Chairman. Each committee shall have a chairman that at appropriate intervals and upon request by the Chairman shall report to the Commission as to the activities of the committee. The committee shall be discharged by the Chairman when their work has been completed and their report accepted, or when, in the opinion of the Commission, it is deemed appropriate to discontinue the committee.

3. Audit Committee: Prior to the annual meeting, the Chairman shall appoint an auditing committee. It shall be the duty of the auditing committee to examine and audit, or have audited the books and accounts of the Commission at the close of the year's business and report its finding to the Commission.

4. Approval of Actions: No action by any Commissioner, committee, employee, director or officer, other than as set out herein, shall be binding upon or constitute an expression of the policy of the Commission or be an act of the Commission until it shall have been approved or ratified by the Commission.

ARTICLE VIII - GRANTS ADMINISTRATION

1. Purpose of Grants - The Commission shall have the power to make grants and contributions and render other financial assistance to achieve the purposes set forth in the Articles.

2. Exclusive Power Vested in Commission - The Commission shall have the exclusive control over all grants, contributions and other financial assistance given by the Commission, subject to the authority of the Perry County Commission.

A. The Commission shall review all requests for funds and shall require that such requests specify the use to which the funds will be put.

B. If the Commission approves a request for funds, the Commission shall authorize payment of such funds to the approved grantee.

3. Refusal; Withdrawal - The Commission, in its absolute discretion, shall have the right to refuse to make any grants or contributions, or to render other financial assistance, for any or all purposes for which the funds are requested. In addition, the Commission, in its absolute discretion, shall have the right to withdraw its approval of any grant at any time and use the funds for other purposes within the scope of purposes expressed in the Articles.

4 Accounting - The Commission shall require that grantees furnish a periodic accounting to show that the funds granted by the Commission were expended for purposes that were approved by the Commission. The Commission may establish such other oversight and review of the expenditure of its grant funds as the Commission deems appropriate from time to time.

5 Gifts - The Commission may accept on behalf of the Commission any contribution, gift, bequest, or devise for and consistent with the general purposes, or for and consistent with any specific purpose, of the Commission. The Commission shall retain complete control and discretion over the use of all contributions, gifts, bequests and devises it receives. Contributions received by the Commission from solicitations for specific grants shall be regarded as for use of the Commission and not for any particular organization or individual mentioned in the solicitation.

ARTICLE IX FINANCES

1. Funds: All money paid to the Commission shall be placed in a general operating fund, or special accounts may be opened at the discretion of the Commission. Funds unused from the current year's budget may be placed in a reserve account.

2. Disbursements: No appropriation of money or other property of the Commission shall be made for any purpose other than to defray the legitimate expenses except by the vote of the Commission or executive committee.

3. Dissolution: In the event that the Commission is dissolved or the tax which funds the activities of the Commission is repealed by the voters of Perry County, all funds remaining in the possession of the Commission upon dissolution shall be paid to the Treasurer of Perry County, Missouri, to be applied for such County purposes as may be allowed by law.

ARTICLE X NOTICE

1. For purposes of these bylaws, notice may be oral unless written notice is expressly required.

2. Notice maybe communicated in person, by telephone, telegraph, teletype, fax or other form of wire or wireless communication, or by mail, e-mail or private carrier; if these forms of personal notice are impracticable, notice may be communicated by newspaper of general

circulation in the area where published, or by radio, television, or other form of public broadcast communication.

3. Oral notice is effective when communicated if communicated in a comprehensible manner.
4. Written notice, if in a comprehensible form, is effective at the earliest of the following:
 - (1) When received;
 - (2) Five days after it deposit in the United States mail, as evidenced by the postmark, if mailed correctly addressed and with first class postage affixed;
 - (3) Failure to comply with the terms of this section shall not invalidate the terms of the notice delivered.

ARTICLE XI WAIVER OF NOTICE

1. Notice: Whenever any notice is required to be given pursuant to these Bylaws, , or the laws of the State of Missouri, a written waiver thereof signed by the person or persons entitled thereto, whether before or after the time stated herein shall satisfy such requirement of notice.

ARTICLE XII EMERGENCY ACTIONS AUTHORIZED

1. Succession: In anticipation of or during an emergency as defined in subsection 4 of this ARTICLE XI, the Commission of the Commission may modify lines of succession to accommodate the incapacity of any Commissioner, officer, employee or agent and relocate the principal office, designate alternative principal offices or authorize the officers to do so.
2. Notice: During an emergency as defined in Subsection 4 of this ARTICLE XI, unless emergency bylaws provide otherwise:
 - (1) Notice of a meeting of the Commission need be given only to those Commissioners whom it is practicable to reach and may be given in any practicable manner, including by publication and radio; and
 - (2) One or more officers of the Commission present at a meeting of the Commission may be deemed to be Commissioners for the meeting, in order of rank and within the same rank in order of seniority, as necessary to achieve a quorum.

3. Commission Action: Commission Action taken in good faith during an emergency under this section to further the ordinary affairs of the Commission binds the Commission.

4. Emergency Defined: An emergency exists for purposes of this section if a quorum of the Commission's Commissioners cannot readily be assembled because of some catastrophic event.

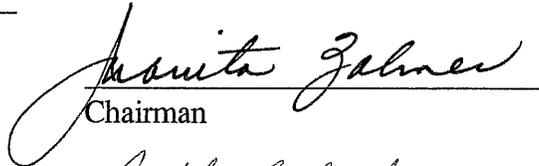
ARTICLE XIII
AMENDMENTS

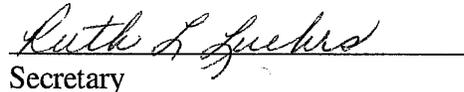
1. Amendment: These Bylaws may be amended by a majority vote of the members of the Commission, present in person or by telephone at any regular or special meeting providing notice of the meeting timely given containing the proposed change shall have been provided to each member of the Commission.

ARTICLE XIV
INDEMNIFICATION

1. Indemnification: Each Commissioner and officer of the Commission shall be indemnified by the Commission against any and all claims and liabilities to which he or she has or shall become subject by reason of serving or having served as such Commissioner or officer, or by reason of any action alleged to have been taken, omitted, or neglected by him or her as such Commissioner or officer; and the Commission shall reimburse each such person for all legal expenses reasonably incurred by him or her in connection with any such claim or liability, provided, however, that no person shall be indemnified against or be reimbursed for any expense incurred in connection with any claim or liability arising out of his or her own willful misconduct or gross negligence.

ADOPTED ON: 10-1-08


Chairman


Secretary