

**NOTIFICATION OF ELECTION AUTHORITY**

May 23, 2002

To: County Clerk  
of Caldwell County, Missouri

Re: Special Election in Caldwell County, Missouri

Dear Shari:

In accordance with Section 115.125, RSMo, you are hereby notified that Caldwell County, Missouri, by Order adopted by the County Commission, has called a special election to be held in the County on August 6, 2002. A copy of said Order along with the legal Notice of Special Election is enclosed.

We understand that as a result of this Notification, your office will be responsible for publication of the Notice of Special Election and the conduct of the election. The polling places remain to be added to the enclosed Notice of Special Election before publication. Section 115.127(2), RSMo, requires that the Notice of Special Election be published in two newspapers of different political faith that are qualified under Chapter 493, RSMo, and are published within the bounds of the County. If there is only one newspaper published in the County, the Notice may be published in it alone. If no newspapers are published within the bounds of the County, the Notice must be published in two qualified newspapers of different political faith serving the County. The Notice must be published twice in each newspaper used, the first publication occurring during the second week prior to the election and the second publication occurring within one week prior to the election, on the same day of each week.

We enclose several copies of this Notification and request that you sign the receipt at the bottom of each copy, retain one copy and return the remaining copies to Gilmore & Bell, P.C., 2405 Grand Boulevard, Suite 1100, Kansas City, Missouri 64108, Attention: E. Sid Douglas III.

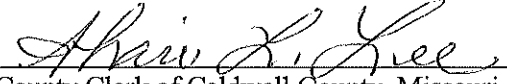
Upon successful conclusion of the election, please send to Gilmore & Bell, P.C., Attention: E. Sid Douglas III, five original affidavits of publication from each newspaper in which the Notice of Special Election was published and five copies of the election ballot and the abstract of votes.

If you have any questions, please let us know.

**CALDWELL COUNTY, MISSOURI**

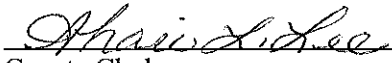
By: Dale Hartley  
Presiding Commissioner

Filed in my office at 9:00 A.M., on May 23, 2002.

  
County Clerk of Caldwell County, Missouri

There being no other business to come before the meeting, on motion duly made, seconded, and carried, the meeting was adjourned.

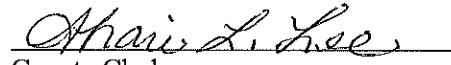
(Seal)

  
County Clerk

## CERTIFICATE REGARDING NOTICE OF MEETING

I hereby certify that the attached notice of meeting of the County Commission of Caldwell County, Missouri, held on May 23, 2002, was posted at least 24 hours prior to the commencement of the meeting on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for posting notices at the County Courthouse, the principal office and meeting place of the County Commission, and was made available at least 24 hours prior to the commencement of said meeting to any representative of the news media who requested notice of the meeting.

DATED: May 23, 2002.

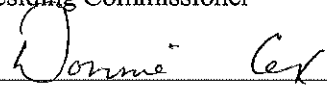
  
County Clerk

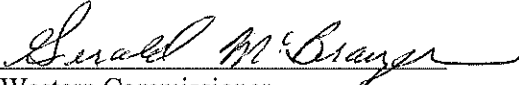
## WAIVER OF NOTICE OF SPECIAL MEETING

We, the undersigned, being the Presiding Commissioner and all of the members of the County Commission of Caldwell County, Missouri, hereby waive any and all notice of the time, place and purposes of the special meeting of the County Commission to be held at the County Courthouse in Kingston, Missouri, at 9:00 A.M. on May 23, 2002, and consent and agree that the County Commission shall meet at said time and place and consent to the transaction of any and all business that may come before such meeting.

DATED: May 23, 2002.

  
\_\_\_\_\_  
Presiding Commissioner

  
\_\_\_\_\_  
Eastern Commissioner

  
\_\_\_\_\_  
Western Commissioner

## NOTICE OF MEETING

Public notice is hereby given that a meeting of the County Commission of Caldwell County, Missouri, will be held at the County Courthouse in Kingston, Missouri, on May 23, 2002, at 9:00 A.M., to consider and act upon the matters on the following tentative agenda and such other matters as may be presented at the meeting and determined to be appropriate for discussion at that time.

1. An order calling a special election.
2. Other matters:

The meeting will be open to the public.

DATED: May 23, 2002.



SHARI LEE  
County Clerk

**AN ORDER CALLING A SPECIAL ELECTION IN CALDWELL  
COUNTY, MISSOURI.**

**BE IT ORDERED BY THE COUNTY COMMISSION OF CALDWELL COUNTY,  
MISSOURI, AS FOLLOWS:**

**Section 1.** A special election is hereby ordered to be held in Caldwell County, Missouri, on August 6, 2002, on the following question:

**QUESTION**

**Shall the County Commission of Caldwell County, Missouri, be authorized to impose a county-wide sales tax in the amount of one-half of one percent for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County?**

**Section 2.** The form of the Notice of Special Election for said election, a copy of which is attached hereto and made a part hereof, is hereby approved.

**Section 3.** The Presiding Commissioner is hereby authorized and directed to notify the County Clerk of Caldwell County, Missouri, of the adoption of this Order no later than 4:00 P.M. on May 28, 2002, and to include in said notification all of the terms and provisions required by Chapter 115 of the Revised Statutes of Missouri, as amended.

**Section 4.** This Order shall be in full force and effect from and after its passage and approval.

**RECEIVED**

MAY 23 2002

*Shari L. Lee*  
SHARI L. LEE

PASSED by the County Commission this 23 day of May, 2002.

(SEAL)

Dale Hartley  
Presiding Commissioner

ATTEST:

Shari L. Lee  
County Clerk



**NOTICE OF SPECIAL ELECTION**

**CALDWELL COUNTY, MISSOURI**

Notice is hereby given to the qualified voters of Caldwell County, Missouri, that the County Commission has called a special election to be held in the County on August 6, 2002, commencing at 6:00 A.M. and closing at 7:00 P.M., on the question contained in the following sample ballot:

**OFFICIAL BALLOT  
SPECIAL ELECTION  
CALDWELL COUNTY, MISSOURI**

**AUGUST 6, 2002**

**QUESTION**

**Shall the County Commission of Caldwell County, Missouri, be authorized to impose a county-wide sales tax in the amount of one-half of one percent for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County?**

YES [ ]

NO [ ]

**INSTRUCTIONS TO VOTERS:** If you are in favor of the question, place an X in the box opposite "YES." If you are opposed to the question, place an X in the box opposite "NO."

The election will be held at the following polling places in the County:

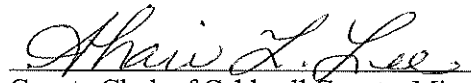
**PRECINCT**

**POLLING PLACE**

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

DATED: May 23, 2002.

  
County Clerk of Caldwell County, Missouri

**RECEIVED**

MAY 23 2002

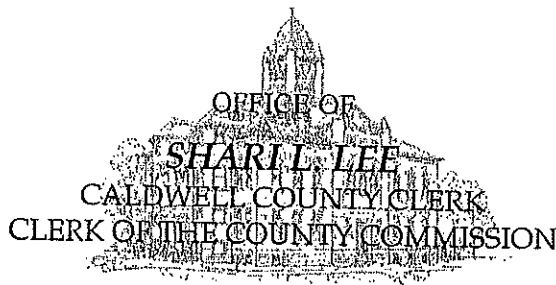
  
SHARI L. LEE

There will be a public meeting May 23, 2002 at 9:00 a.m. at the Kingston Courthouse for the Caldwell County Commission to approve the sales tax issue for the August 2002 election. This sales tax is for the Little Otter Creek lake.

DALE HARTLEY  
Presiding Commissioner  
Kingston, MO 64650

DONNIE COX  
Eastern District Commissioner  
Braymer, MO 64624

GERALD McBrayer  
Western District Commissioner  
Kingston, MO 64650



Regular Terms of  
Commission Meeting:  
First Monday in February,  
May, August and November

Regular Meeting  
Every Monday

DEPUTY CLERK  
*Martha Straker*

DEPUTY VOTER REGISTRATION:  
*Josephine Herring*

August 19, 2002

Director of Revenue  
Department of Revenue  
Truman State Office Building  
Jefferson City, Missouri 65101

Ladies and Gentlemen:

In accordance with Section 32.085, RSMo., you are hereby notified of the adoption of an order by the County Commission of Caldwell County, Missouri, to impose a sales tax pursuant to Section 644.032, RSMo. approved by the voters of the County. Such order became effective on August 14, 2002, subsequent to the approval by a majority of the qualified voters voting thereon of the imposition of the capital improvements sales tax at the rate of one-half of one percent.

Enclosed are certified copies of (1) the Order of the County Commission of May 23, 2002, calling the election for the sales tax, (2) the Order of the County Commission of August 14, 2002, declaring the election results related to the sales tax, (3) the Order of the County Commission on August 14, 2002 imposing the sales tax, and (4) the abstract of votes from the August 6, 2002 election with respect to the sales tax.

We understand that, pursuant to Section 32.087, RSMo, and Section 644.032, RSMo., the sales tax shall become effective on January 1, 2003.

CALDWELL COUNTY, MISSOURI

By: *Sharil L. Lee*  
County Clerk

Enclosures

**ORDER DECLARING THE RESULTS OF THE SPECIAL ELECTION HELD IN  
CALDWELL COUNTY, MISSOURI, ON AUGUST 6, 2002.**

**BE IT ORDERED BY THE COUNTY COMMISSION OF CALDWELL COUNTY,  
MISSOURI, AS FOLLOWS:**

**Section 1.** That it is hereby found and declared that the vote at the special election held in Caldwell County, Missouri, on Tuesday, August 6, 2002, on the following question:

**QUESTION**

**Shall the County Commission of Caldwell County, Missouri, be authorized to impose a county-wide sales tax in the amount of one-half of one percent for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County?**

resulted as follows:

<u>Yes</u>	<u>No</u>
1,227	986

**Section 2.** That it is hereby found and declared that more than a simple majority of the qualified voters of the County voting on the Question at said election voted in favor of said question and it thereby passed.

**Section 3.** That attached hereto as **Exhibit A** is a full, true and correct copy of the ballot used at said election.

**Section 4.** That attached hereto as **Exhibit B** is a full, true and correct copy of the certification of votes cast at said election received from the County Clerk of Caldwell County, that said certification of votes is the final and last certification of votes for said election, and that said certification of votes constitutes the official returns of the election pursuant to Section 115.507(2) of the Comprehensive Election Act, Revised Statutes of Missouri, as amended.

**Section 5.** That it is further found and declared that notice of said election was duly given by publication in the manner provided by law as evidenced by the affidavits of publication attached hereto as **Exhibit C**, and that said election was held and conducted in all respects in conformity with the Constitution and laws of the State of Missouri.

**Section 6.** That this Order shall be in full force and effect from and after its passage.

PASSED by the County Commission this 19<sup>th</sup> day of August, 2002.

[SEAL]

Dale Hattley  
Presiding Commissioner

ATTEST:

Marion L. Lee  
County Clerk

BILL NO. 1

ORDER NO. 02

**ORDER IMPOSING A SALES TAX IN CALDWELL COUNTY,  
MISSOURI, AT THE RATE OF ONE-HALF OF ONE PERCENT.**

**WHEREAS**, Caldwell County, Missouri (the "County"), is authorized under Section 644.032, RSMo (the "Act"), to impose a sales tax on all retail sales made in the County which are subject to taxation under the provisions of Section 144.010 to 144.525, RSMo, for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County; and

**WHEREAS**, pursuant to an Order of the County Commission of May 23, 2002 (the "Order"), the County Commission ordered a special election to be held in the County on August 6, 2002, for the purpose of submitting to the qualified voters of the City the following question:

**QUESTION**

**Shall the County Commission of Caldwell County, Missouri, be authorized to impose a county-wide sales tax in the amount of one-half of one percent for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County?**

and the votes cast at said election were duly canvassed as provided by law, and it was found and declared that a majority of the qualified voters of the County voting at said election on said question voted in favor of the imposition of said sales tax;

**NOW, THEREFORE, BE IT ORDERED BY THE COUNTY COMMISSION OF CALDWELL COUNTY, MISSOURI, AS FOLLOWS:**

**Section 1.** With the approval on August 6, 2002 by a majority of the qualified voters voting thereon of the above-referenced question, the County Commission hereby authorizes the imposition of a sales tax at the rate of one-half of one percent for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County.

**Section 2.** The County Clerk is hereby ordered to forward to the Director of Revenue, by United States registered or certified mail, a certified copy of this Order and the May 23, 2002 Order and an abstract of votes cast on the question at the August 6, 2002 election not later than August 24, 2002. The sales tax imposed by this Order shall become effective on January 1, 2003, as provided by the Act, by Sections 32.085 and 32.087, RSMo., as amended, and by all other applicable laws, and shall be used for the purposes hereinabove authorized.

**PASSED** by the County Commission this 19<sup>th</sup> day of August, 2002.

(SEAL)

Dale Hartley  
Presiding Commissioner

ATTEST:

Shari L. Lee  
County Clerk

## WAIVER OF NOTICE OF SPECIAL MEETING

We, the undersigned, being the Presiding Commissioner and all of the members of the County Commission of Caldwell County, Missouri, hereby waive any and all notice of the time, place and purposes of the special meeting of the County Commission to be held at the County Courthouse in Kingston, Missouri, at 7:00 P.M. on August 14, 2002, and consent and agree that the County Commission shall meet at said time and place and consent to the transaction of any and all business that may come before such meeting.

DATED: August 14, 2002.

  
Presiding Commissioner

  
Eastern Commissioner


  
Western Commissioner



## CERTIFICATE REGARDING NOTICE OF MEETING

I hereby certify that the attached notice of meeting of the County Commission of Caldwell County, Missouri, held on August 14, 2002, was posted at least 24 hours prior to the commencement of the meeting on a bulletin board or other prominent place which is easily accessible to the public and clearly designated for posting notices at the County Courthouse, the principal office and meeting place of the County Commission, and was made available at least 24 hours prior to the commencement of said meeting to any representative of the news media who requested notice of the meeting.

DATED: August 14, 2002.

  
County Clerk

## EXCERPT OF MINUTES OF MEETING

The County Commission of Caldwell County, Missouri, met in special session on August 14, 2002, at 7:00 P.M. at the County Courthouse in Kingston, Missouri. The following officers were present or absent as indicated:

	<u>Present/Absent</u>
Dale Hartley, Presiding Commissioner	<u>P</u>
Donald Cox, Eastern Commissioner	<u>P</u>
Gerald McBrayer, Western Commissioner	<u>P</u>
Shari Lee, County Clerk	<u>P</u>

The Presiding Commissioner declared that a quorum was present and called the meeting to order.

\* \* \* \* \*

(Other Proceedings)

The County Clerk presented the returns of the special election held in the County on August 6, 2002, on the following question:

### QUESTION

**Shall the County Commission of Caldwell County, Missouri, be authorized to impose a county-wide sales tax in the amount of one-half of one percent for the purpose of providing funding for the construction of a lake in the Little Otter Creek watershed as a storm water control and park project of the County?**

The Abstract of Votes of the County Clerk and other instruments and papers relating to the election were thereupon examined by the County Commission.

The matter of declaring the results of the special election came on for consideration. Commissioner Cox introduced an Order entitled as follows:

**ORDER DECLARING THE RESULTS OF THE SPECIAL  
ELECTION HELD IN CALDWELL COUNTY, MISSOURI, ON  
AUGUST 6, 2002.**

On motion duly made and seconded, the Order was read by title, considered and discussed. Thereupon, the question was put to a vote, and the vote thereon was as follows:

Aye: 3

Nay: 0

The Presiding Commissioner declared said Order duly passed, and was signed and approved by the Presiding Commissioner and attested by the County Clerk.

\*\*\*\*\*

The matter of imposing a sales tax in Caldwell County, Missouri, came on for consideration and was discussed.

Commissioner McBayer introduced an Order entitled as follows:

**ORDER IMPOSING A SALES TAX IN CALDWELL COUNTY,  
MISSOURI, AT THE RATE OF ONE-HALF OF ONE PERCENT.**

On motion duly made and seconded, the Order was read by title, considered and discussed. Thereupon, the question was put to a vote, and the vote thereon was as follows:

Aye: 3

Nay: 0

The Presiding Commissioner declared said Order duly passed, and was signed and approved by the Presiding Commissioner and attested by the County Clerk.

\*\*\*\*\*

(Other Proceedings)

There being no further business to come before the meeting, on motion duly made, seconded and carried, the meeting was adjourned.

(Seal)

Harri L. Lee  
County Clerk