

THE COUNTY COMMISSION  
OF  
STONE COUNTY, MISSOURI

June 25, 2019

STATE OF MISSOURI |  
COUNTY OF STONE |

Be it remembered that a session of the County Commission of Stone County was held in the courthouse at Galena, on June 25, 2019. Those in attendance today were Presiding Commissioner Mark Maples, Southern Commissioner Hank Smythe and Northern Commissioner Wayne Blades.

**Morning Session:**

**10:00 AM**

Presiding Commissioner Mark Maples opened the meeting with the pledge of allegiance to the flag. Following the pledge of allegiance, Pastor Delbert Davis delivered the prayer.

Those present for this meeting today are as follows: Janis Wilson & Anna Burk, Collectors Office; Kristi Stephens, Treasurer; Cindy Elmore, County Clerk; County Counsel William McCullah; Denise Dickens, Commission Administrative Assistant and Tena Foster Stone County Clerk's Office.

**Approval of Commission Minutes**

The matter to approve the minutes for Stone County Commission meeting dated June 20, 2019 was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Blades – yes. Minutes ordered approved.

**Schedule of Bills - None**

**In accordance with RSMo 160.021 (1) to conduct a closed meeting the County Commission will discuss the National Prescription Opiate Litigation.**

Cancelled

## Adopt Trustee Property Policy

County Counsel William McCullah came before the Commission with a list of Trustee Properties for sale, information sheet for bidders and an Order Establishing Procedure for Bids Post-Third Tax Sale Properties (County Trustee Properties).

The matter to approve the Trustee Property List and sign the Order Establishing Procedure for Bids Post-Third Tax Sale Properties was brought to decision by a roll call vote: Smythe – yes; Maples – yes; Blades – yes. Order signed; Matter carried (Send out bid for Auctioneer Services)

§140.250 provides in pertinent part



### INFORMATION FOR BIDDERS

#### POST-THIRD TAX SALE PROPERTIES ("COUNTY TRUSTEE PROPERTIES")

##### FOLLOWING 2019 COLLECTOR'S LAND TAX SALE

The County Commission, as the County Trustee under §140.260, offers for sale post-third tax sale ("County Trustee") properties are offered for sale.

- The 2019 land tax sale will be held on Monday, August 26 2019.
- The Collector has a list of the properties held by the Trustee. The properties are listed on the Collector's website.
- The Collector and the Trustee's representative will be available immediately following the tax sale for discussions with prospective bidders.
- For properties not in a Neighborhood Improvement District (NID): Following the Collector's land tax sale, approximately 130 post-third tax sale properties will be offered in a live auction, with a minimum of ten percent (10%) of the accrued taxes, penalties, and interest. To all bids, the Trustee will add \$177 for the Collector's advertising and notice expenses.
- For properties in a Neighborhood Improvement District (NID): The Trustee will accept bids until Tuesday, September 10 2019. The Trustee will reject any bid less than the amount of accrued taxes, special assessments, penalties, and interest. All bids must be at least the amount of accrued taxes, special assessments, penalties, and interest. To all bids, the Trustee will add \$177 for the Collector's advertising and notice expenses.
- Neither the County nor the Trustee warrants that good and marketable title to the property is being conveyed. Rather, the conveyance is of what title, if any, was received by the Trustee in the Collector's delinquent land tax sale; that is, whatever title the 'named taxpayers' had. It may be that the 'named taxpayers' listed in the County's records did not actually have title to the property, or own all interests in the property, or it may be that there are title defects.
- The property may be subject to easements, covenants, and restrictions of record, or to restrictions, encumbrances, or claims of third parties. A successful purchaser should plan on the expenses of
  - a title search to determine whether there are any restrictions, encumbrances, or claims of third parties.
  - having an attorney bring a quiet title action to cure any defects in title.
- With any tax sale or county trustee's sale, there is a possibility that a former owner or lienholder can bring a lawsuit to have the tax sale set aside due to improper notice or for other reasons.

1

4. A purchaser at any sale subsequent to the third offering of any land or lots, whether by the collector or a trustee as provided in section 140.260, shall be entitled to the immediate issuance and delivery of a collector's deed and there shall be no period of redemption from such post-third year sales; provided, however, before any purchaser at a sale to which this section is applicable shall be entitled to a collector's deed it shall be the duty of the collector to demand, and the purchaser to pay, in addition to his bid, all taxes due and unpaid on such lands or lots that become due and payable on such lands or lots subsequent to the date of the taxes included in such advertisement and sale. The collector's deed or trustee's deed shall have priority over all other liens or encumbrances on the property sold except for real property taxes.
5. In the event the real purchaser at any sale to which this section is applicable shall be the owner of the lands or lots purchased, or shall be obligated to pay the taxes for the nonpayment of which such lands or lots were sold, then no collector's deed shall be issued to such purchaser, or to anyone acting for or on behalf of such purchaser, without payment to the collector of such additional amount as will discharge in full all delinquent taxes, penalty, interest and costs.

2



#### IN THE COUNTY COMMISSION OF STONE COUNTY, MISSOURI ORDER ESTABLISHING PROCEDURE FOR BIDS POST-THIRD TAX SALE PROPERTIES ("COUNTY TRUSTEE PROPERTIES")

Be it ordered as follows:

The County Commission, having appointed itself to act as the County's Trustee pursuant to Section 140.260, establishes the following procedure for post-third tax sale properties, sometimes also known as "County Trustee Properties":

- For properties not in a Neighborhood Improvement District (NID): Following the 2019 Collector's land tax sale, approximately 130 post-third tax sale properties will be offered in a live auction, with a minimum of ten percent (10%) of the accrued taxes, penalties, and interest. To all bids, the Trustee will add \$177 for the Collector's advertising and notice expenses.
- For properties in a Neighborhood Improvement District (NID): The Trustee will accept bids until Tuesday, September 10 2019. The Trustee will reject any bid less than the amount of accrued taxes, special assessments, penalties, and interest. To all bids, the Trustee will add \$177 for the Collector's advertising and notice expenses.

Done at the Courthouse in Galena, Missouri on June 25 2019.

THE COUNTY COMMISSION OF  
STONE COUNTY, MISSOURI

MARK W. MAPLES  
PRESIDING COMMISSIONER  
  
HANK SMYTHE  
COMMISSIONER  
  
WAYNE BLADES  
COMMISSIONER

**Recess: 10:30 AM to Judicial Building Construction Meeting at 1:00 PM**

**Announcements:** Denise Dickens stated that the property in Cape Fair where the recycling is, has been sold and will be discontinued. You can still recycle in Galena and Reeds Spring.

**Public Time:**

Time was extended to anyone who wanted to speak to the commission at this time.

**Adjournment:**

The adjournment of the Stone County Commission meeting was brought to decision by roll call vote: Smythe – yes; Maples – yes; Blades – yes. Meeting adjourned at 2:20 PM.