

**JULY 11, 2005 THE 1ST DAY
OF THE JULY ADJOURN TERM**

The County Commission met in Associate II Circuit Courtroom at 9:02 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern District present. Ron Herschend, Western District was absent. The following proceedings were had and made a matter of record.

The prayer was led by Helen Souttee followed by the pledge.

**VACATION OF ROADS - EVANS SUBDIVISION
GARY ALMAN**

Presiding Commissioner Pennel read the following petition for the vacation of a public road from Joe T. Wood, David W. Gibson, Vice President of Empire Electric and Gary Alman, Attorney.

- 1) Joe T. Wood and Empire District Electric Company are the owners of all of the ground and real estate lines on both sides of or fronting on that portion of the street for public road described below. All in plot 26 Evans Subdivision Taney County Missouri.
- 2) The location and course of the street or public road sought to be vacated is described as follows: All of the south 494.56 feet of south street line south of west street in Evans Subdivision in the southeast quarter of the northeast quarter of the northeast quarter of the southwest quarter of the northwest quarter of the southeast quarter and all that part of the southwest of the southeast quarter in Section 21 Township 23, Range 21 north of Bee Creek in Taney County Missouri. Being approximately 494.56 feet in length lying north and south.
- 3) The described portion of the street or public road was never opened and has ceased to be of any public use.
- 4) No utility services are located on or alongside the described portion of the street or public road. And that said public road has never been used and in fact has trees and other vegetation growing in, along, and on that portion of land previously being designated as the street or public road.
- 5) Notice of this proceeding was personally served upon all resident landowners whose land is crossed by or touches said road. A complete list of whom is none.
- 6) On the 22nd day of June 2005 notice was published in the Taney County Times a legal newspaper of general circulation published in this county that this petition would be presented to the Taney County Commission on the 11th day of July 2005 being the 1st day of the July Adjourn Term of this Commission. Wherefore Joe T. Wood and Empire District Electric Company pray that the County Commission order the described portion of the street or public road to be vacated pursuant to the provisions of RSMo 71.270.

William Dustin, Attorney for Gary Alman's Firm, presented the Commission with a petition for the vacation, an order letter signed by a land administrative specialist from Empire District Electric, and a copy of the original Platte.

Commissioner Strahan made a motion to approve the vacation of road in Evans Subdivision. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Presiding Commissioner Pennel clarified that Mr. Wood brought this case before the Commission earlier so they have already looked at the petition.

COMP TIME TRESSA LUTTRELL

Tressa Luttrell, Administrator, addressed the Commission regarding comp time for Rachel McNamara, Prosecuting Attorney's Office. Luttrell stated that McNamara had a family emergency out of state and is requesting to be paid 40.75 hours of her comp time.

Presiding Commissioner Pennel made a motion to approve comp time for Rachel McNamara. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

PRIOR MINUTES

Commissioner Strahan made a motion to approve minutes from June 20 and July 6. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ACCOUNTS ALLOWED

Commissioner Strahan made a motion to approve accounts payables warrants #89969-90036 and manual warrant # 4376. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

FALLEN TREE

Art Beck thanked the Commission for taking care of the fallen tree that he informed them of at a previous meeting.

RECESS

Commissioner Strahan made a motion to recess. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

Minutes taken and typed by: Hillary Bargman