

**JULY 30, 2008 16TH DAY OF
THE JULY ADJOURN TERM**

The County Commission met in the Commission Office at 9:00 a.m. pursuant to adjourn with Chuck Pennel, Presiding and Danny Strahan, Eastern Commissioner present and the following proceedings were had and made a matter of record.

PRIOR MINUTES

Commissioner Strahan made a motion to approve prior Commission Minutes dated 7/18, 7/21, 7/23, 7/24 and 7/25/08. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

**CEDAR SPRINGS ESTATES
PETITION**

Commissioner Pennel asked Counselor Paulson why he wanted a plat for this particular road. Commissioner Strahan reminded Counselor Paulson that he had mentioned before the area that the cul-de-sac protrudes out to. Counselor Paulson explained that he just wanted to be sure that they couldn't count an easement towards the part of a lot to sell. A general discussion regarding recordable documents ensued.

Commissioner Pennel made a motion to approve the petition contingent upon the easement being changed to a deed. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

**GARY SNADON
PLANNING & ZONING ISSUE**

Gary Snadon stopped by to let the Commission know that he lost his temper this morning in Planning & Zoning, that he has never asked for a dime from the county and he felt he was being harassed. Mr. Snadon added that he has never been asked to provide the additional information that Mr. Coxie has asked for. Counselor Paulson explained the process and how through the years, the County has had to put some preventative measures within the code.

Ms. Snadon noted that he has had a bond in place for 15 years and it should be sufficient. Commissioner Strahan questioned why the portion of completion be applied. Counselor Paulson commented that he did not know all the details and would need to review the issue.

Commissioner Strahan asked if the Planning was going to be asking people to renew their bonds, in place, due to the financially economic times we are in. Counselor Paulson noted that the bond should be sufficient to cover should the County have to finish the project.

Mr. Snadon noted that the County is working on two different standards as Branson Canyon didn't have to bond because he had put the utilities in but on this one, Empire is putting in the utilities and I am being told to bond that portion. Counselor Paulson again stated that he would have to look at the situation.

CABLING ROAD & BRIDGE BUILDING

Gary Morgan, IS Administrator updated that Commission on the costs involved in providing the cabling for the future Road & Bridge building. Empire has given us a quote of \$10,000 plus \$400.00 a month for 5 years and then to renegotiate the monthly fee, however Tri-Lakes net has a not to exceed cost of \$32,000 if we acquire the easements from the City of Forsyth and bury the cable. Mr. Morgan added that the benefit of us acquiring the easements is that the County would own the cable.

Commissioner Strahan made a motion to proceed with the direct ownership of the cable and direct that the easements be sought. Commissioner Pennel seconded the motion. Counselor Paulson noted that this project had not been bid out yet and would need to be done. The Commission concurred that the motion was to proceed with that avenue not the immediate purchase. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

ROAD & BRIDGE BUILDING REMODEL

John Rider, Road Inspector presented the Commission with the proposed layout of the new Road & Bridge building. Commissioner Strahan indicated that he thought the move would only be a partial move at this time. Mr. Lavender noted that when he spoke with Mr. Preston, Mr. Preston was not happy with that option. Commissioner Strahan commented that he didn't want to get away from the time issue. Commissioner Pennel concurred.

Mr. Rider suggested finding an alternative location for a month and a half then move in when the remodeling is finished. Commissioner Pennel stated that they could move into the first area and deal with the remaining space later. Commissioner Pennel further commented that this location is six times the size of what they currently are in. Randy Haes, Road Coordinator asked if they would still be getting the whole building. Commissioner Pennel noted not necessarily.

Commissioner Strahan made a motion to table upon the redesign for the 1/3 of the building and that the other portion of the building would not be considered at this time. Commissioner Pennel seconded the motion. Mr. Lavender inquired as to who would be performing the remodeling. Commissioner Strahan stated that he would like to see Mr. Lavender and a crew perform the task. The motion passed by vote: Pennel (yes), Herschend (absent), Strahan (yes).

MOVING OF OFFICES

Commissioner Herschend entered the meeting at 10:23.

Tressa Luttrell, County Administrator questioned the Commission as to if they still wanted her proceed with finding a moving company to move all the office into the new facility. Ms. Luttrell indicated that an estimate on the Circuit Clerk's Office only was around \$25,000.00.

Mr. Lavender noted that he had performed this function several times and didn't see any reason no to do it this time. Commissioner Pennel asked Mr. Lavender to get an estimate on the size of crew he would need. Mr. Lavender commented that he would get a letter together informing the offices what would need to be done and the Commission could sign it.

TELEVISIONS/CABLING JUDICIAL FACILITY

Mr. Lavender noted that his suggestion would be to put in the tv's located in the jail pods and the four in the Sheriff's Office at this time; the rest can be done later.

Commissioner Herschend made a motion that because of the timing urgency, to instruct Mr. Lavender to move forward on the 14 television locations in the jail and the 4 in the Sheriff's Office, with work to proceed immediately. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion that due to the same emergency as above, that the televisions and brackets be purchased for the jail pods immediately. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

10:47 a.m.

RECONVENE

10:54 a.m.

TABLEROCK ACRES GEORGIA TOOPS

Commissioner Herschend noted that Ms. Toops had lost 6-8 foot of material under her trailer due to the water runoff. The contractor went in and did a mediocre job of putting it back in. However, Ms. Toops is moving a renter in and went to reinforce some areas and noticed the problem.

Commissioner Herschend stated that they had received a bid from a mobile home installer that will put the material in the way it should be. Commissioner Herschend made a motion to approve the \$2,500 expenditure to be paid for out of the Sewer Sales Tax and to be added into the current lawsuit as damages. Commissioner Pennel seconded the motion.

Commissioner Strahan asked why this wouldn't go to the sewer board. Commissioner Herschend stated that they are an advisory board. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (abstain).

COMP TIME

Commissioner Herschend made a motion to approve the payment of 40 hours of comp time to Branden Tilley and 65.15 hours of comp time to Lewis Hursh as requested. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AERONAUTICAL SURVEY RFQ

Ms. Luttrell presented the Commission with the proposal from the recent Aeronautical Survey RFQ. Ms. Luttrell noted that the grant for the airport will not cover this expenditure however the Airport Board has voted to award the proposal for \$34,449.41 to Photo Science.

The County Commission concurred that they were under the impression that the grant would cover the costs. Ms. Luttrell stated that she had received an email from the State representative on the grant who stated that they had previously informed Mark Parent, Airport Manager that this expenditure would not be covered. When Ms. Luttrell questioned Mr. Parent, he noted that they were aware but that the board wanted to continue with the survey.

Commissioner Pennel made a motion to table said issue until a meeting with Mark Parent and one of the board members be scheduled to discuss the issue. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

MODULAR FILE SYSTEM BID

Ms. Luttrell presented the Commission with the bids for a modular filing system for the Circuit Clerk. Ms. Luttrell noted that Brenda Neal, Circuit Clerk has recommended the approval of OM Workspace for \$29,548.00.

Commissioner Herschend questioned whether the floor was structurally sound for that type of filing. Ms. Luttrell stated that Septagon Construction was presented that question and had requested the structural engineer to look at the issue. Ms. Luttrell further stated that Septagon actually gave us the exact measurements to go out to bid once they were satisfied.

Commissioner Herschend made a motion to approve as recommended contingent upon receiving written notification regarding the soundness of those areas. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RESIDENTIAL FURNITURE BID

Ms. Luttrell presented the bids for the residential furniture which will be used in Judge Orr's office and Brenda Neal's office. Ms. Luttrell noted that both the Judge and Ms. Neal had reviewed the bids and were recommending Wheelers Furniture for \$7,395.00.

Commissioner Strahan made a motion to approve the bid as recommended. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

AIRPORT INSURANCE BID

Ms. Luttrell presented the bid for insurance for the Taney County Airport. Ms. Luttrell noted that Mr. Parent had recommended continuing with Insurance Source as they have continued to lower the premiums each year.

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

SALVAGE OF STRIP CENTER

Commissioner Herschend asked Counselor Paulson about the liability of salvaging the strip center. Counselor Paulson noted that if there were recyclables then the county should salvage and sell them. Commissioner Pennel questioned why the county wouldn't have an auction like the last time and take what we know happened wrong and improve. The auction could be held two weeks prior to demolition.

Commissioner Strahan commented that there could be categories versus anything in the building like carpeting, electrical and studs. Counselor Paulson noted that at the very least you would want a hold harmless agreement for them to sign. Ms. Luttrell asked who would be supervising the individuals. Commissioner Herschend noted that it

was not worth the money to have a supervisor there. Commissioner Pennel commented that an auction specifying what would be sold could be done and have no supervisor. Commissioner Herschend suggested having a sealed bid for the items and would write that specification up today and get them to Ms. Luttrell.

NUISANCE CASES

Commissioner Pennel made a motion to ratify sending the 1st letter for #08-0035. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to deny #08-0015. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to deny #08-0014. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to deny #04-403. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to send the 1st letter after a drive by on #08-0012. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to send the 1st letter after a drive by on #08-0013. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to deny #04-404. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to send the 1st letter after a drive by on #08-0025. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Pennel made a motion to deny #08-0028. Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to send a letter to #04-393 that the garbage behind the chain link fence either needs to be moved or hidden so that the

neighbors can't view. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

RECESS

12:21 p.m.

Minutes taken and typed by Tressa Luttrell.