

**SEPTEMBER 22, 2008 48<sup>th</sup> DAY OF  
THE JULY ADJOURNED TERM**

The County Commission met in the County Commission Hearing Room at 9:01 a.m. pursuant to adjourn with all members present and the following proceeding were had and made a matter of record.

Prayer was led by Mr. Gary Groman followed by the pledge.

**ACCOUNTS ALLOWED**

Commissioner Strahan made a motion to approve accounts payable warrants #305854 – 305865, #305888 – 305986 and manual warrants #4892 – 4894. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (abstain), Strahan (yes).

**PRIOR MINUTES**

Commissioner Strahan made a motion to approve prior Commission Minutes dated 8/28/2008, 9/3/2008, 9/8/2008, 9/9/2008, 9/10/2008, 9/12/2008, 9/15/2008, 9/17/2008 and 9/18/2008. Commissioner Pennel seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

**PURVIS LANE**

Ms. Pat Woodbury and several area residents appeared before the Commission to discuss Purvis Lane.

Commissioner Pennel stated that the Commission, along with Mr. Preston, Road & Bridge Superintendent, visited Purvis Lane.

Ms. Woodbury recalled the county working on Purvis Lane approximately 10 years ago, but was never touched again. She also commented that she was told by the Commission at that time, Purvis Lane would be maintained by the county. Ms. Woodbury noted concerns of emergency vehicles or propane service being able to make it down Purvis Lane.

Commissioner Strahan stated Purvis Lane was not in our county maintenance system. Ms. Woodbury noted that when she initially spoke with Commissioner Herschend, she was told that Purvis Lane was on the grater maintenance schedule and now its not. She also questioned how that happened.

Commissioner Strahan discussed cost estimate and what it would take to bring the road up to meet the county standards according to our road standards policy. Mr. Preston noted that it would take \$30,000 to \$50,000 to bring Purvis Lane up to standards. He also

commented that to have the bare minimum work done and to make it passable, it would take \$5,000, as there is no ditch work, but it would only last until the next rain storm.

Commissioner Pennel made a motion to direct Road & Bridge staff to schedule Purvis Lane for a Class V, grater maintenance. Commissioner Strahan questioned whether or not it had been through the petition process.

Mr. Gerald Freese, property owner, stated the county had in fact worked on the road to make it passable and spent a lot of time, money and effort. He also questioned why they would put that into it and not maintain it.

Motion died for lack of being seconded.

Commissioner Strahan commented that he wanted to see proof of a completed petition, signatures and written documentation it has been taken into the county maintenance system.

Commissioner Pennel made a motion to take in Purvis Lane as a Class VI contingent on evidence the county expended funds in the past.

Motion died for lack of being seconded.

Commissioner Herschend made a motion to table until the evidence of approval is found. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (opposed), Herschend (yes), Strahan (yes).

### **LAKE BEACH LANE ROAD PETITION**

Commissioner Pennel read road review into the record, which is as follows:

Located in Lakeland Beach > Section 34, Township 23N, Range 22W  
This road is a through street that runs from Lakeland Avenue to Scenic. There are no houses that have main access off this road at this time, but a couple of lots are being cleared. The road needs a ditch line excavated and shaped for drainage and a cross culvert installed at the corner of the road. The surface has cracks appearing in the edge of pavement, due to there are no stable shoulders to support the road edge. There are two entrances off this road, one new entrance to a lot being cleared and an entrance to a lot on Scenic. If taken into the county system I would recommend a Class VI until homes are established.

Mr. Chris Cooper, petitioner, appeared before the Commission to get Lake Beach Lane adopted into the county maintenance system.

Commissioner Herschend made a motion to table as he would like to have Mr. Preston take a look at the road and noted his concerns of not following the road standards. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

## **COMFORT LANE ROAD PETITION**

Commissioner Pennel read road review into the record, which is as follows:

Located in Lakeshore Drive Estates > Section 33, Township 23N, Range 21W  
This road is a through road that runs from North Fork to Deano. The intersection at North Fork has drainage problem with the culvert filled in on the flow outside, causing the standing water and pothole problem. The culvert should be replaced to a larger size and graded out for drainage on the flow outside. The surface will require some patching in a couple of areas, one of these being a utility cut that has settled and an area that chip and seal is missing. The other cross culvert needs to be cleaned on the flow outside and one driveway culvert needs cleaning. The surface should be widened and chip sealed. I would recommend a Class V if taken into the county road system. Cost to the county for patch repair, culvert work and chip seal surface is \$10,000 to \$15,000 estimated cost.

Mr. Pat Barnett, petitioner, appeared before the Commission to get Comfort Lane adopted into the county maintenance system. He explained where Comfort Lane was located, as well as informing the Commission there are 8 to 10 homes located on the road.

Commissioner Herschend made a motion to take in Comfort Lane to the county maintenance system. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend urged the Commission to schedule a work session to discuss whether or not it is prudent to the county to take in additional roads due to the flooding and the incomplete work orders.

## **FLOODING UPDATE**

Chris Berndt, Emergency Management Director, stated officials from FEMA were scheduled to tour our county on Tuesday, September 23<sup>rd</sup> for individual assistance and on Wednesday, September 24<sup>th</sup> for public assistance.

Commissioner Strahan questioned whether there was assistance for those who owned property that had down trees on it. Mr. Berndt stated that unfortunately there was no assistance for those individuals.

## **GARY MORGAN & BOB DIXON**

Gary Morgan, I.S. Administrator, and Bob Dixon, Recorder of Deeds, approached the Commission on a time sensitive issue. Mr. Morgan stated that Mr. Dixon backs up his Docuware system on a device called a snap server, which is unfortunately not working correctly. He also stated that by obtaining pricing through a bid process, for a new backup device, it may exceed the time limit. He also commented that he had already begun obtaining quotes from various companies.

Mr. Dixon stated that the value of his Docuware system is approximately \$300,000, which is basically everything in the vault in his office. Commissioner Pennel asked if waiting twenty-four (24) hours to make a decision would make a difference. Both Mr. Dixon and Mr. Morgan stated that would be fine. The Commission concurred.

### **COMMISSIONER HERSCHEND**

Commissioner Herschend publicly thanked Mr. Morgan and his staff for all of their hard work during the move of offices, as well as Ms. Tressa Luttrell, County Administrator, for all of her years of hard work and dedication of all the facets of the Judicial Project.

Commissioner Herschend was concerned that a tax credit support letter from the Commission for Sycamore View, as well as Rock Ridge, had not been through the Planning & Zoning process.

### **SHEILA WYATT**

Collector Wyatt informed the Commission that the City of Branson approved CID (Community Improvement District) and the county would receive 1%, which would go into General County Revenue Fund. She also indicated she would like to see it on her tax bills.

Commissioner Herschend noted concerns of additional staffing, if necessary and also appreciates the efforts of Ms. Wyatt and her staff. He also expressed a possibility of scheduling a work session to discuss any additional needs.

### **DONNA NEELEY**

Clerk Neeley commented that she was asked questions about salaries for office holders, due to assessed valuation. She was requesting to be able to go outside the county for an opinion.

Counselor Paulson noted that he had no objections with Clerk Neeley's request. Commissioner Herschend requested for Clerk Neeley to submit her request to the Commission in a meeting. The Commission concurred to meet with Clerk Neeley on Tuesday.

### **PUBLIC COMMENT**

Mr. Art Beck commented on the Greene County Crime Lab and what a great resource that will be for our county. The Commission noted how they had already toured the facility and stated that it would save our county money.

**RECESS**  
**10:41 a.m.**

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

Minutes were taken and typed by Nikki Lawrence.

**RECONVENE**

1:13 p.m.

**BOB PAULSON  
WORK SESSION**

Counselor Paulson met with the Commission to discuss current legal issues as well as review upcoming events on his calendar.

**FRANK PRESTON & TRESSA LUTTRELL  
WORK SESSION**

Frank Preston, Road Administrator and Tressa Luttrell, County Administrator met with the Commission to discuss various issues.

1. Maintenance Issues: Commissioner Herschend noted that John Lavender, Maintenance Supervisor is being pulled is several different locations as well as his staff. Commissioner Herschend commented that he would like to send out an email regarding some changes being made in the maintenance department.

Commissioner Herschend added that a maintenance form shall be filled out and turned in for items to be done by priority. Also those issues that deal with the new Judicial Facility can be checked as well. Commissioner Strahan noted that the Judicial Facility issues needed to be tracked for warranty work.

2. Misc. Roads: Mr. Preston noted that he would be looking into a complaint of water damage at Scenic and Lakeland. The property owner at the end of Shady Lane is concerned that the cul-de-sac is prior to their property and when it rains, they can not get to their property. Commissioner Strahan noted that he did not want to build a road to a house that is not even there yet. Commissioner Pennel noted that he would go take a look at the issue.

Mr. Preston commented that the paving to the end of Strawberry is finished and there will be a final walk through next week. Commissioner Herschend asked about the wall on Blackhawk that was failing. Mr. Preston noted that the work should be close to being finished.

Mr. Preston commented that the flooding at Trout Hollow is caused by the work previously done on the county road and would be looking at the issue with Commissioner Herschend to see what options the county has.

Commissioner Herschend asked for Purvis Lane petition to be tabled until the next week as he would be out of town. Commissioner Strahan commented that he would like to see a summary of what has taken place with Purvis Lane.

3. Carte Graph training: Mr. Preston noted that a training for the Carte Graph system was going to be held in DeBake, IA for \$2,400 which covers the airfare/motel and training and he would like to send Kathy Roberts and John Rider. Mr. Preston added that the county currently gets maintenance training but had not received any in depth training.
4. Shelving request: Ms. Luttrell informed the Commission that the County Clerk had requested some shelving for the vault and would like for the Commission to pay for out of the Judicial budget. Clerk Neeley noted that she considered this expense to be a part of the moving expenses. Commissioner Herschend commented that he would argue, not against the shelving, but that it is not a part of the move.

Commissioner Pennel made a motion to table the issue. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes). Clerk Neeley commented that she would like to go ahead and purchase the shelving with the purchase card and figure out where to pay for it later. Ms. Luttrell commented that she would still need a budget code for the purchase order. Commissioner Pennel stated that she should hold off on the purchase.

### **EXECUTIVE SESSION**

Commissioner Strahan made a motion to go into executive session pursuant to RSMo. 610.021.3 Commissioner Herschend seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

Commissioner Herschend made a motion to go out of executive session. Commissioner Strahan seconded the motion. The motion passed by vote: Pennel (yes), Herschend (yes), Strahan (yes).

It should be noted that no motions were made and no votes were taken.

**RECESS**  
3:10 p.m.